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THE  
**HARLEIAN MISCELLANY.**

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**VOL. IX.**

**Printed by J. & E. Hodson, Cross Street, Hatton Garden, London.**

THE  
**HARLEIAN MISCELLANY;**

OR, A  
COLLECTION

OF  
SCARCE, CURIOUS, AND ENTERTAINING  
**PAMPHLETS AND TRACTS,**

*AS WELL IN MANUSCRIPT AS IN PRINT,*

FOUND IN THE LATE  
**EARL OF OXFORD'S LIBRARY,**

INTERSPERSED WITH  
*HISTORICAL, POLITICAL, AND CRITICAL*  
**NOTES.**

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**VOL. IX.**

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**LONDON:**  
**PRINTED FOR ROBERT DUTTON, GRACECHURCH-STREET.**

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**1810.**



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THE  
HARLEIAN MISCELLANY.

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AN  
ACCOUNT OF THE REASONS

WHICH. INDUCED

*CHARLES THE SECOND, KING OF ENGLAND,*

To declare War against the States-General of the  
UNITED PROVINCES, IN 1672;

And, of the private League which he entered into at the same time with the French King, to carry it on, and to establish Popery in England, Scotland, and Ireland, as they are set down in the History of the Dutch War. Printed in French at Paris, with the privilege of the French King, in 1682. Which book he caused to be immediately suppressed, at the instance of the English Ambassador.

*Licensed, March the 5th, 1689, by JAMES FRASER.*

LONDON, printed in 1689 Folio, containing fifteen pages.

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**W**HEN King Charles the Second declared war against the States of the United Provinces, in 1672, and assisted the King of France by sea, in the prosecution of a war, which brought that great commonwealth, and, with it, the Protestant interest of this part of Europe, so very near to a final period; it was industriously and carefully given out, that religion was not in the least concerned in the quarrel. The honour of the King of England, and of his people, so insolently trampled upon by the States-General; the hindering of our East-India trade, with the affronts which were put upon our merchants at Surinam; their disputing the sovereignty of the sea, and refusing to take down their flag to our ships, unless we would promise to engage actually in a war against France, were the causes which were publicly pretended; and answerable artifices were made use of to engage the people to a concurrence, which were carried on with so good success, that the parliament consented to

to allow such sums of money, as should be sufficient for the carrying on the charges of that war.

Yet these reasonings were not so plausible, but that most considering men easily saw through them. Those, that loved the Protestant interest, could not with patience endure to see the triple league, which was the greatest fence of their religion, against the growing greatness of France, broken, and new leagues made with the king, whose aim at an universal monarchy was then as visible, though the effects of it had not been near so fatal as they are now. Therefore, other methods were followed at home; the Dissenters were cessed, and a declaration of indulgence was set out, wherein the king expresses so very great zeal for the Protestant religion, 'which he had so eminently professed in his most desperate condition abroad among Roman Catholick princes\*', that he allowed to the Protestant Dissenters the publick and free exercise of their religion, in houses set apart for that purpose, which was only granted to Roman Catholicks in their own houses. And, lest this might have too much alienated the church of England, whose members bore so great a sway in that parliament, that a breach with them, at that time, might have stopped his designs upon Holland, in a great measure, by their refusing to pay the charges of the war, he declares in the next session of parliament†, 'This indulgence should not any way prejudice the church, but that he would support its rights and it, in its full power.'

His declarations, both at the time when this war was on foot, and even afterwards, as long as he lived, were outwardly so very passionate and warm for the Protestant religion, and the preservation of the English Government, that, unless such frequent repetitions of that, which, in good manners, none would seem to question, might look like overdoing, and so breed suspicions, nothing could have ever shaken that opinion, which was so firmly grounded in the hearts of all his subjects. He professed‡, that he should esteem it the most unpardonable crime which could be committed against himself, to raise any suspicions of his unsteadiness in the Protestant religion in the minds of his people; and this restrained almost all his subjects, who were so dazzled with his other royal endowments, that they could never be persuaded to suspect so much artifice in a prince, whose natural goodness, and sweetness of temper, did so effectually charm all those who had the honour to be near his person,

But though these repeated protestations had wrought so intire a confidence in the minds of his people, that they rested satisfied in the sincerity of his intentions, and interpreted all those actions which tended to the supporting of the Popish interest in England, to his tenderness towards the Duke of York||, whom he resolved never to abandon§, notwithstanding the importunities of his people,

\* *Ibid.* the King's Declaration of Indulgence, December 26, 1662.

† Feb. 5, 1672.

‡ Declaration of Indulgence, December 26, 1662.

§ A Papist and his brother.

|| To the mercy of the parliament, and Protestant subjects of England, who, for the safety of the king and country, required his exclusion from the throne, at the demise of his brother the King.

and the safety of himself and his kingdoms, seemed to require it: Yet the King of France was so tender of his honour, as to conceal these private treaties and alliances, which, at his solicitations, the king entered into, against the United Provinces, and to the destruction of the Protestant religion, and the overthrow of the English liberties. But he consented so far to the publication of an account of the war with Holland, and of the reasons and motives which engaged the two Kings to carry it on, that the Abbot Primi, who put out the book in the Italian tongue, was employed by Mr. Colbert de Croissy, and a pension was allowed him for his pains, in publishing it also in French: which book was published by authority at Paris, in the year 1682. It is well known, how severe that government is in matters of that nature, where nothing is ever publicly set forth of any importance, as to the Church or State, but what perfectly agrees with the inclinations and interests of those who are there so very absolute. It was publicly known at Paris, that Mr. L'Abbe Primi had a pension from Mr. Colbert de Croissy: And, when men are employed by ministers of state, to publish accounts of the transactions of the government, their writings are rather looked upon as apologies, than histories. It makes no real difference, whether what a man writes, in such a case, be a translation or an original, he will be supposed to have endeavoured to please those who employed him; and all the fair protestations of sincerity, and faithfulness, and skill, which such a man can use, will be only looked upon as words of course, when once the reasons of his setting up for an historian are publicly known. The original of Count St. Majolo was printed in Italian; and the privilege ran as well to the printing it in Italian as French. However, I do judge, that the name of Count St. Majolo, was a kind of trick of the Abbot Primi, to talk of secret alliances, of breaking leagues, of his master's persuading the King of England to seize the Dutch Smyrna fleet, and of several other secrets in the negotiations of Holland, England, and France, in his own name. For, when all is laid upon a foreigner, one may speak with great assurance, and the Count St. Majolo will then answer for the very things for which Monsieur L'Abbe receives his pension.

If our minister at Paris, when this book first appeared, had not, by a timely and a diligent application, procured its being stopped, we might, without question, have had several other important secrets published in the following books (for we have only two books of ten printed) which now we can only conjecture at. But the earnest complaints of my Lord Preston, who was then Envoy from King Charles the Second, at Versailles, prevailed so far, that the book was immediately stopped, and the edition totally suppressed, so that very few had ever heard of it, and much fewer, especially in England, had seen it. And to put a face upon the matter, Monsieur L'Abbe was thrown into the Bastille; from whence, after a mock-imprisonment of nine or ten days, he was let out again. All that were at Paris, at that time, knew the story; and all, that were at all acquainted with the arbitrary severity of the French govern-

ment could easily see through the grimace; which was the better covered, because Count St. Majolo was to bear all the blame; who, if he be not related to Puffendorf's Monzambano, (another Italian Count, also) yet his testimony might easily be over-ruled, and so could furnish those persons with a ready excuse, whose interest it was, that such agreements, which were contrary to their open and publick protestations, should either never be known, or, if once divulged, not believed.

I shall not stand to compare the matters of fact which are here set down, with those reports which at that time passed current in England; they are things which fall within most people's memory\*; my business is only to give such an account of our proceedings, as was published at Paris with the privilege of the King of France, as fully granted, as in any other case whatever. Our author† tells us, that the growing greatness of the King of France, after the peace of Aix-la-Chapelle was concluded, by the mediation of the King of England, was so very terrible to the Queen-mother of Spain, who was guardian to her son, Charles the Second, King of Spain, that she employed her ablest ministers, to persuade England, Holland, and Sweden, to join in an alliance, for the preservation of the Peace, and the reciprocal security of each others kingdoms.

The Hollanders, he tells us, greedily embraced it, and ran into the triple league with great readiness, not much concerning themselves with France, which, they thought, could make no great opposition to them by sea; and, by land, they were so fortified by the natural fences of their dikes, that they apprehended, on that side, no sort of danger.

A constant series of success against the Spaniards, who declared them a sovereign and independent republick in 1648, pushed them on to great insolencies against the King of France‡: They interposed in the affairs of Germany, as if they had been immediately concerned§: They determined peace or war amongst their neighbours, as they thought would be most for their own interest: They threatened to ruin the kingdom of France, by prohibiting any commerce with French manufactures, and scattered medals and pictures, very derogatory to the honour of the French King. Their busying themselves so much with the affairs of Germany, was a means to engage the Bishop of Munster to keep up his army, after he had concluded a peace with the Duke of Brunswick Wolfenbittel, and to declare against the incroachments of the Hollanders upon the empire||: Which opportunity the French King laid hold of, to make an alliance with him, and the princes of the House of Furstemberg, and the Bishop of Strasburgh, against Holland; by which means, he secured the passes upon the Rhine and the Maese, which lay convenient for the setting upon the Hollanders by land, who till then had thought themselves secure from any attacks on that side¶;

\* This being published in the year 1689.  
‡ Page 46.

† Page 18, 19.  
§ Page 24.

‡ Page 31.



He engaged the Emperor also to a neutrality, and persuaded him to ratify those alliances which the French King had already made with the bishops of Munster and Strasburgh, and the princes of the House of Furstemberg\*, with assurances that he would not concern himself in those quarrels, unless either the Empire or the King of Spain should be invaded.

The King of England was already very much dissatisfied with the Hollanders†, and was willing enough to disengage himself from the triple league. For the Hollanders had refused to stand to those regulations about the East-India trade, which had been concluded upon at Breda; and their vessels would not lower their topsails to the English men of war, and they disputed the sovereignty of the sea, unless the King of England would declare for them against France, in case of a breach; which things were very dishonourable for the English nation, and were great instances of the treachery of the Hollanders, and of the small assistance which the English could promise to themselves from their friendship‡.

Colbert de Croissy, the French Ambassador at London, urged § all these things to the Kings of England; he put him in mind of the medals which the Hollanders published, wherein they attributed to themselves all the glory of concluding the peace of Aix la Chapelle, which had been obtained by the King of England's mediation; and told him, that this was the time wherein he might take his revenge upon a nation, which had so little respect for kings; and that he never could expect a more favourable opportunity ||, since several German princes had already entered into a league, and the King of France was sufficiently powerful to satisfy all his confederates in the prosecution of this war, both as to their advantage and credit¶. These things engaged the King of England to sign a secret treaty with France; and, to make it the more firm, Henrietta, Duchess of Orleans, a princess, whose wit was equal to her beauty, sister to the King of England, and sister-in-law to the King of France, went over into England in 1670, and proposed a treaty to her brother, in the name of the most Christian King, wherein she proffered to secure to him 'an absolute authority over his parliament, and the re-establishment of the Roman Catholick Religion in his three kingdoms of England, Scotland and Ireland.' But, she said, that, before this could be effected, there was an absolute necessity of abating the haughtiness and power of the Hollanders, who only studied to foment divisions amongst their neighbours; and to reduce them to the single province of Holland, of which the Prince of Orange should

\* Page 57. 58. † Page 58. ‡ Page 59. § Page 60. || Page 61.  
¶ Ce qui engagea ce prince à signer un traité secret avec la France; & pour assurer encore d'avantage Henriette d'Angleterre, Duchesse d'Orléans, princesse qui avoit autant d'esprit que de beauté, sœur du Roy d'Angleterre, et belle sœur du Roy de France, passa en Angleterre en 1670, et proposa au Roy son frère, au nom du Roy très-Christien, de lui assurer une autorité absolue sur son parlement, et de rétablir la religion Catholique dans les Royaumes d'Angleterre, d'Ecosse, et d'Irlande. Mais elle disoit que pour en venir à bout, il falloit avant toutes choses abaisser l'orgueil et la puissance des Hollandois qui ne songeoient qu'à mettre la division parmi leurs voisins; et les réduire à la seule province d'Hollande, de laquelle le Prince d'Orange seroit Souverain, ou au moins Gouverneur perpétuel, ce qui ne seroit pas difficile à deux grands Roys puissants et bien unis, et que par ce moyen le Roy d'Angleterre auroit la Zélande, pour lui servir de retraite en cas de besoin, et que le reste des Pays-bas demeureroit au Roy de France, s'il pouvoit s'en rendre maître.

be Sovereign, or, at least, perpetual Governor; which would not be difficult for these two mighty kings, when once well united, to accomplish: So that, by this means, the King of England might have Zealand to retire to, if there should be occasion; and that the rest of the Low-Countries should remain to the King of France, whenever he should be able to conquer them.

When the King of France had thus secured himself by these alliances, he immediately began his preparations for war, and filled his stores, and raised men, some publickly, and some underhand, all over France, in Switzerland, Italy, and England.

Though these negotiations, and especially with England, were carried on with all the secrecy that matters of that importance required\*, yet the Hollanders had such notices given, as did exceedingly surprise them. 'They could not imagine that the English would quit the triple league; they said, this was a report raised by the French to amuse mankind withal†; they thought, that the present conduct of the King of England gave convincing proofs to the contrary: he had just before dismissed out of his port a fleet of Dutch merchantmen, and some Amsterdam vessels besides, and recalled Sir George Downing, his minister at the Hague, for speaking with too much warmth to the States-General‡; so that, in short, he seemed in all his actions to declare, that his intentions of keeping up a good correspondence with Holland were sincere.' However, the breaches every day grew wider and wider between France and Holland; and matters were carried so far on both sides, that the French King resolved to begin the war the next spring||; and in the mean time he took secret measures with the King of England§, to set upon them together, and to surprize them both by sea and land\*\*. As for the King of England, he was exceedingly perplexed; there was need of money to carry on the design, and that secretly too††: he could raise none at home without calling a parliament, and that could not be done without acquainting all Europe with his designs; there was also great fear of opposition, both from the misunderstandings, which in that tumultuous assembly do for the most part arise between the two houses, and from the intrigues of the Hollanders. For which reasons the King of France furnished him with such sums of money, as were sufficient to send out a considerable fleet; and he advised the King of England (the better to conceal their agreements) to keep a fair correspondence outwardly with the Dutch, to appear firm to the triple league, and declare that he set out a fleet for no other reasons, but because his neighbours,

\* Page 65.

† Page 75.

‡ Page 76.

§ In the Year 1672.

|| Page 87.

\*\* Le Roy d'Angleterre de son côté estoit embarassé, il faisoit du secret & de l'argent pour faire réussir l'entreprise, & il ne pouvoit rien tirer de ses peuples qu'en convoquant son Parlement, ce qui faisoit connoître ses desseins à toute l'Europe, outre que cette assemblée tumultueuse par la mauvaise intelligence qui est ordinairement entre les deux chambres & par les intrigues des Hollandais pouvoit s'y opposer; mais le Roy tres-Christien luy envoyoit des sommes suffisantes pour mettre en mer une flotte considerable, & luy conseilla pour mieux cacher leur union de témoigner aux Hollandais qu'il vouloit bien vivre avec eux, de paroître ferme dans les traités de Triple Alliance, & de publier qu'il ne vouloit avoir qu'une flotte qu parce que ses voisins, & particulièrement les François, faisoient de grande armemens dans tous les ports qu'ils avoit en sur l'Océan.

†† Page 89.

‘and especially the French, who made great preparations in all their ports upon the ocean, strengthened themselves so very considerably by sea\*.

Yet all this was not carried on so secretly, but their own residents at London, and the ministers of other princes in King Charles’s court, gave the Hollanders such sure advertisement of his altering his measures, that they found it past all question. Pensioner de Witt fell in a swoon in the Stadt-house, upon the reading of a letter, which gave him an account of it †; and, as soon as he had recovered himself, he proposed to send the Heer Meerman into England, to renew the old alliances; who was immediately seconded by the Marquis del Freno, the Spanish minister ‡, who was sent thither on purpose to join with him in making use of all sorts of arguments, which might oblige the King of England to break off his new treaty with France§.

But, all these applications proving ineffectual, all things tended to a war: it was known that the King of England had declared for France; and that, being provoked with the usage which his subjects had received at Surinam, he had renewed a treaty with France against Holland, and had promised to begin the war, provided that his most Christian majesty would declare war against the States in the beginning of May §.

And though the earnestness which the King and the Duke of York shewed in the prosecution of this business was extraordinary, though they set out ships, and manned them with all the industry and application possible; ‘yet, because the government of England was mixed\*\*, or composed of kings, lords, and commons, and that in the great concerns of the nation, or in raising of money, there was a necessity of a parliament; ‘which is, like the people of whom it is made up, not always of the same mind††; and that the variableness of their climate is even visible in their councils; and, besides, since the Duchess of Orleans died soon after her return to France; for these reasons the King of France did not much rely upon any assistance from England, and so took his measures in such a manner, that the King of England might be assured they must succeed, in case he should fail him; and therefore he would not suffer the rage of the English against the Dutch at that time to cool, but he rather endeavoured to plunge them into a war, by such an action as might correspond to their earnest desire of being revenged.’

And this design soon succeeded; for, the French having notice of the return of the Dutch Smyrna fleet, which were then at sea, they immediately acquainted the King of England with it ‡‡, ‘and told him, that this was a favourable opportunity for him to engage the English in a certain war: they told him, that such a prize would furnish him with more money in one day, than he could get from his parliament in a year ††; and, perhaps, so great a

\* Page 89. † Page 91. ‡ Page 93.

\*\* Page 120.

†† Page 120.

‡ Page 118.

‡‡ Page 121.

§ Page 119.

\*\*\* Page 122.

‘ prize might put him, during the whole course of the war, in  
 ‘ such a condition, as that he would not stand in need of his par-  
 ‘ liament; and that he ought not to let slip such an opportunity,  
 ‘ because he certainly knew, that, what success soever it might  
 ‘ have, yet his people, who always carried themselves very high up-  
 ‘ on a prosperous turn of affairs, who were sensible of affronts,  
 ‘ would spare for nothing which might carry on the war, wherein  
 ‘ they might expect to humble the Dutch, and to revenge the wrongs  
 ‘ of their merchants, and of their nation in general, upon those  
 ‘ who would dispute the sovereignty of the sea with them.’

Upon these solicitations the king consented, and sent Sir Robert Holmes with nine men of war into the channel, to expect the coming of the Smyrna fleet\*. And it had this effect, that though the Dutch (who had some notice of it before) did, in a thick foggy night, escape without any very considerable loss; yet this engaged the English to a war, which was immediately hereupon openly proclaimed by the King of England, against the States-General; which was earnestly pressed by Mr. Colbert de Croissy, who advised him not to delay the striking so signal, as well as so unexpected a stroke †.

How far the causes alledged in the declaration of war, which followed soon after, and the reasons by which the king endeavoured to persuade his parliament to a hearty concurrence with him in it, agreed with these motives, every man may judge. Whoever considers the carriage of the King of France, in other things, will not wonder at such a piece of treachery, as the publication of these secrets was, whilst King Charles II. was alive: and I believe, that the sending a man to the Bastile for ten days, who was notoriously known to have been employed for this very purpose, did convince as few people of the falsehood of these pretended alliances, as the sending of Mr. Skelton to the tower by King James II. did; which was so very like, that one would think the mock proceedings against Mr. L' Abbe Primi, gave a pattern to the King of England, to animadvert upon his own minister, who, by the confession of the French resident at the Hague, acted, by his majesty's order, only the second part of what the Abbot wrote.

THE  
LAST CONFESSION, PRAYERS, AND MEDITATIONS  
OF  
LIEUTENANT JOHN STERN,

*Delivered by him on the Cart immediately before his Execution,*

TO DR. BURNET:

Together with the last Confession of George Borosky, signed by him in the prison, and sealed up in the lieutenant's packet. With which an account is given of their deportment both in the prison and at the place of their execution, which was in the Pall-Mall, on the tenth of March, in the same place in which they had murdered Thomas Thynn, Esq. the twelfth of February before, 1681-2. Written by Gilbert Burnet, D. D. and Anthony Horneck, D. D. London: printed for Richard Chiswell, at the Rose and Crown, in St. Paul's Church-yard, 1682. Folio, containing twenty-eight pages.

*An account of the deportment of Captain Vratz, Lieutenant Stern, and George Borosky, the murderers of Thomas Thynn, Esq. both in the prison, and at their execution.*

**F**OUR days after the barbarous murder of Mr. Thynn, which filled all people's minds with a just horror at so vile and inhuman a fact, I was desired to go and visit the prisoners. I carried Dr. Horneck with me, because I heard that Borosky the Polonian spoke no other language, but Polish and High Dutch. We waited on the captain, but he was unwilling to enter into much discourse with us; and adhered to what he had confessed before the council, that he only intended to fight with Mr. Thynn, and that the Polonian had mistook his orders, when he shot him. The Lieutenant said at first nothing, but that he was in the company of those that committed the fact, without intention to murder any; and if, for that, he should be condemned to die, then said he, *Fiat voluntas tua*, thy will be done. The Polonian was free and ingenuous in his confession, and expressed great sorrow for what he had done. But, within a few days, I went again, and found the lieutenant wonderfully touched: he told me, that the morning after he was first taken, he awakened full of horror for what he had done, and the first thing that came in his mind was the ninth verse of Psal. xxxii. 'Be ye not as the horse and the mule, which have no understanding, whose mouth must be held in with bit and bridle.' This, he applied to the irons in which he was, and then began to reflect what a beast he had been, and that it was fit he should

be shut up in a prison, and fettered as he then was; upon that he looked back with horror, on what he had done, and began to cry earnestly to God, for mercy.

He continued some days in doubt whether he ought to confess or not, and was in that anxiety, when I saw him first, which made him say nothing at that time; but he said afterwards, he found such inward compunction in his mind, that he wished to die; he grew weary of life, and hated himself so much, that he was glad to do every thing that was lawful, which might be a means to bring him to be a publick example, and to suffer in this world for his sin. Upon that, he made his confession to the justices of peace, and found himself much at ease, when that was done. He turned himself after that wholly to God, and found that, then, he was intirely out of the snares of satan, and the hold which the devil had of him. All the rest of the time of his imprisonment, except a few hours of sleep towards the mornings, he spent in reading the bible, and some other good books, particularly Dilheren's Way to Happiness, in High Dutch, which he valued highly; and Thomas a Kempis's book of the Imitation of Christ, and some other books of devotion. He thought it was also fit for him to leave, in writing, a warning behind him to others, to learn by his example; he was not bred to letters, and so, he said, he knew what he should write, would appear simple to those that delighted in learning, or polite language; but he said, he would write from his heart, and prayed God, it might have a good effect upon others. He had travelled up and down Europe, three and twenty years, being then in the forty-second year of his age, and he had observed many things, though he had no literature; so, he said, he would leave an exhortation to all sorts of people, with whom he had conversed, and touch those sins which he himself had known many of them guilty of; and he said, that, if his writing should become publick in Germany, or in other places where he had been, he was confident that many might read it, who would know, for what reason he had writ many passages in it, and might, perhaps, be moved to reflect on those sins, of which they knew themselves guilty, and would understand his meaning, better than any others could. When he had writ it, he gave it to me four days before his execution; he had dashed and changed it in many passages, which he said he writ at first, when there was yet too much of the spirit of the world in him, but he had reviewed it, and had corrected it in the best manner he could. He said, he had never writ so much in his whole life, and so he did not doubt, but there would appear great weakness in some parts of it, but he had writ it in the simplicity of his heart. To this he added a short account of his life, and a confession of the crime, for which he was to suffer.

He often wished that, from him, all that stood might take heed lest they fell; for once he thought himself as little capable of committing such a crime, which should bring him to such an end, as any man was. He was the son, by the left-hand, of a Baron of Sweden, who was made a Count, before he died; but he did not

carry his name, because he was not legitimate, and he would not have his father's name to be published, because he was now such a reproach to it. He applied himself to the war, but in all these twenty-three years, in which he had been travelling up and down the world, he had led a much more innocent life, than might be guessed, from such a conclusion of it. He had early a sense of the fear of God, before he came abroad into the world, which never left him quite, till a few days before this fact; but was always such a curb on him, that he never fell into those sins, that are too common among those that follow the war. He was so little guilty of plunder and oppression, in his quarters, that he said, he was sure, less than twenty crowns would pay all, that had been ever taken by him. He was never guilty of any act, either of cruelty or treachery, of rapes or blasphemies, was never false at play, had not the custom of swearing, nor did he fail daily to pray to God. He had always a compassionate nature. He was not a little lifted up with the courage that he had shewed on many occasions, and had been very sensible of all those things which are called points of honour. He was, for many years, a papist, when he served in Flanders; but he said, he was never perfectly satisfied in his own mind, with that religion, and detested the idolatry that he saw in it. But he was much corrupted with that principle, which is too common in the world, that, if a man was honest and good, he might be saved in any religion; and that it was fit to be of the religion of the country where one lived: Yet, he said, he could never look on popery, but as a contrivance of priests, for governing the world. About a year ago, he changed his religion, and returned to be of the Augsburg confession. Last summer he came to England, being then out of employment, and intended to have got into the guards; he grew acquainted with (or found) Captain Vratz here, for I do not remember well, whether he knew him first here, or not.

For the particulars of his confession, I refer the reader to his own paper; only one passage, which he has not mentioned, will shew clearly the temper of his mind, when he writ it: he told me, that after the captain and he had talked of sundry poniards, for giving Mr. Thynn the fatal stroke, the captain spoke to him one day of a musketoon, and told him they were now resolved to do it by that: he answered, that he thought that was by no means a proper instrument for it, since it would be seen in a man's hand, before it could be discharged, and so they might be caught, before the business should be done; therefore he thought a pistol was much better: but the captain answered, that the count's council were of another mind; and when the lieutenant asked, who they were, he named three outlandish men. But, three or four days after that, he told me, that, though that passage was very true, yet he did not know, but the captain might only name those persons to amuse him, and he did not believe it was true of one of the three; and, if it was not true of him, then there was reason to doubt, if what he said of the other two was true; and therefore, since it might have



been said only to deceive him, and since his naming them would cast a slur upon them, he thought he ought to be so tender of their reputation, as not to publish their names. This will shew both the strictness of his conscience, and the soundness of his judgment; and that he would not say a thing, though it was true, in so far as he said it, unless he had believed it was true in itself.

He told me, that for some weeks before the fact was done, he fell under a darkness and stupor in his mind, which he could compare to nothing, but the sense a man has when he is half asleep: he continued to say his prayers, but it was only as a child repeats a lesson by rote, for he had no sense of God all that while, and he lamented much, that he had not read any thing in that book of Dillenheren's, written much like our Practice of Piety, which he had carried about with him two or three years.

He was so little able to judge of things aright, that he thought he would be free of the crime, if he did it not with his own hand; and, because he abhorred the acting it himself, he fancied he would not be guilty, if he only went in the company of those that were to do it. When the fatal day came, in which it was done, he said, though he was not drunk, yet he was like one drunk, for he was almost stupid; it was on a Lord's day, which he had much and often profaned, and on that day, in particular, he had not worshipped God neither in publick or private. The captain desired him to go with him, and fight with Mr. Thynn (I think it was near six o'clock at night, but am not sure as to the hour.) He confessed, he believed it was designed to act what followed, for he saw the musquetoon in the hand of the Polander, and he remembered well the use for which it was bought; but he still resolved, that he would do nothing, but fight, if there should be occasion for it. He had delighted much in horses, and had a great opinion, that there was some sagacity in them; so the dulness of his horse in following Mr. Thynn's chariot, all along Pall-Mall, made some impressions on him; for, though he used the spur pretty smartly, yet he could not get him to follow close. That, and a disorder in his own mind, made that he was almost twenty paces behind, when the fire was given, which had that deplorable effect on that unfortunate gentleman. He told me, even that did not awaken him, but his stupor continued so, that some little time past, before he offered to fly away; and then his horse, without the spur, was quick enough. He was not after that affected with it, but spent that night almost as ill as he had done the day; nor was he recovered of that stupidity, till the second day of his imprisonment.

He said he would have writ nothing concerning the fact, if his whole confession had been read at his trial; but, that not being done, he thought it fit for him to leave it behind him to the world, that the whole truth of that matter might appear; but he professed often, that he did it not out of any resentment to any person whatsoever; and, though he looked on the captain, as the fatal instrument that had drawn him into this sin, and this misery that followed it, yet he ceased not every day to pray for him. When sentence was pronounced, the captain reproached him, and called him with

some scorn a murderer: he said, that it touched him very sensibly to see him, that was the cause of his ruin, insult over him; yet he often asked news of him, whether he was touched with a sense of his sin, or not? And, when he understood that he continued still to deny all, but only an intention to fight with Mr. Thynn, he desired, that he might be suffered to go to him, and speak with him; for, he said, though others might speak much better, yet he hoped he might say somewhat that would be more effectual: so, on Wednesday the eighth of March, he was carried to him. I warned him beforehand, that the captain would, perhaps, use him roughly; for he was often upbraiding him, for his ingratitude, and for having accused him falsely; but he answered me, that he went to see if he could be a means to do him any good, and not to dispute a matter of fact with him, which he knew in his conscience was true; and, if he saw there was no appearance of doing any good to him, he would soon leave him. In his way to him, he was to go up some stairs, and pass through the chapel, and then to go down; so he told me he was going up to the house of God, but he should go higher within two days, to a house not made with hands. Dr. Horneck was then with the captain, and prepared him for his coming. There was no other witness of what passed between them in that short interview, but he only. He told me afterwards, that the lieutenant spoke to the captain with great humility; he told him, he heartily forgave him all the injury he had done him by drawing him into this business; he knew he had said nothing but the truth; he exhorted him to repent, that so he might find mercy at God's hands. But the Captain fell in some passion, and said, he lyed, and gave him other reproachful words; upon which he left him. When he came back to his chamber, he told me how sorry he was to see the captain in such a condition; but he said, though at another time he could not have endured such reproaches from the greatest man in the world, yet he felt no resentment in his mind, at what he had said to himself; and added, that, by bearing this in such a manner, he hoped he had got two steps higher in his way to heaven. When I replied, that it was a good sign, that he had learned to be like his Saviour, who, when he was reviled, reviled not again, he said: Ah! Such a miserable criminal, as I am, must not be in any thing compared to my blessed redeemer. He desired that the Polonian might be suffered to stay all the day long in his chamber, for he found he had a mind well disposed, but was ignorant: so he took great pains to instruct him. They were together the last night of their life, in which, as the one slept, the other watched and prayed; for the lieutenant said to me, he thought it was not fit that both should be together asleep that night, but that, all night long, either the one, or the other of them should be constantly calling upon God. He expressed not the least desire of living any longer: He never once asked me, if I thought a pardon might be obtained: On the contrary, he said he deserved to die, and desired it as much as he had deserved it: He only wished, that, if it could be obtained, his head might be cut off; but he easily acquiesced, when I told him

that was not to be expected. He often blessed God for bringing him to a prison, and that he had not made his escape to have led a wicked life any longer. After he had been under great horror for almost a week, he found great quiet come instead of it, chiefly after he had disburdened his conscience by a sincere confession; at last it grew upon him to a joy in God, and at the approaches of death.

The night before he suffered, he told me, he was languishing through desire to die; he was now so settled in his assurance of God's goodness to him, that he was longing to be with him; he considered that night as the eve of his wedding, and therefore it would seem tedious to him. A little while after he said, To-morrow is the last battle I shall fight; my enemy shall gain the camp, the tent I dwell in, but I shall, by the grace of God, win the day. And, when he spoke of that at another time, he looked up to God, and said: I go to fight with thy weapons, and thy armour, and when I have overcome, I will come and offer them up to thee. He had that day received the sacrament with great devotion, and said: Now I have got my passport, and I long to be gone. He was much rejoiced to hear, that night, that the Captain was in a better temper, than he had been in formerly; for the minister of the Augsburg Confession in London told him, in my hearing, that the Captain had confessed, That he had drawn them into this snare, and had engaged them in this murder. The Captain also sent a kind message to him, and gave orders for every thing that concerned his burial; upon which he sent a return to him full of great affection. This made him change a resolution he once had, of speaking somewhat concerning the murder at his execution. He said there was nothing material in his last confession, that was not in his first taken by the justices of the peace, so there was no need of making any other public declaration; and he thought, if he said any thing that might reflect on the Captain, it would, perhaps, put him in some disorder, and he would not venture the being discomposed in the last moment of his life; therefore he resolved to seal up all, and give it to me at the place of execution. He had shewed it four days before to one Mr. Essart, a German, in Covent-Garden, and had ordered me to let him copy it; he had likewise shewed it to Dr. Horneck, and it was almost all copied out, before he died.

In this temper I left him at night, but found him much better on the morning of his execution. He had slept three hours, and was then well in his heart and health; for the night before he was very faint. He told me, Now he was full of joy, he was going to exchange a prison for a palace: A prison (said he) that has been, to me, better than any palace; for here God has touched me, he has drawn me, he has quickened me; and now, O God, I come to thee, to live with thee for ever. He broke often out in great transports of joy; he said this that follows so often, both in French and Dutch, that I could not but remember it well:—O my God, my good God, my infinitely good God, How do I love thee! I bless thee,

I will bless thee as long as I live; yea, Lord, I will sing of thy praises for ever, for thou hast blessed me wonderfully. Thou hast put many good inclinations in me; thou hast often touched my heart with the motions of thy Holy Spirit; but, above all thy blessings, for this I will bless thee, That, when I had forsaken thee, and was at the gates of hell, thou hast brought me from thence, and hast now brought me even to the gates of Heaven; open them, O Lord, and I will enter in, and praise thy name for ever. I bless thee, that thou hast chastised me with thy rod, but thy rod is a rod of mercy; and, now thou hast done so much for me, O grant me a greater sense of thy love, that I may praise thee with my whole soul, and from the very bottom of my heart.

This he repeated often, in such a manner that he seemed as one ravished for joy. He wept, but he told me these were not tears of sorrow, but flowed from the abundance of his joy. He and the Polonian sung the fifty-first psalm in High Dutch, three several times; and I saw him particularly touched, when he sung those words, Deliver me from blood-guiltiness, O God, thou God of my salvation.' He spent the rest of the time in prayers and ejaculations. A gentleman came in, and asked how he did? He answered him, he thanked God, well; his friend had sent to call him to come to dine with him, and he was ready to go. And when it was told him, he was now to fight his last battle, he answered, That battle was already fought, there was but one shock behind, and he was sure he should overcome. His heart was so full of the sense of the goodness of God, that he could now complain of nothing, or desire nothing but that he might be able to rejoice more perfectly in God, and to praise him more. He longed much for the officers that should carry him away, and looked with great cheerfulness at me, when he saw them come to lead him out. When his irons were taken off, he told me, Some of his fetters were taken from him, but he had others yet about him that should be likewise taken off very speedily; but I have chains upon my soul which shall draw me up to heaven. He told me, 'That he intended to make a short exhortation on the cart, chiefly to have warned the people not to cast off the sense of God; and particularly, that as they did their own business all the week, that they would do God's work on the Lord's Day; and learn from him what the ill effects of profaning that day were. He was likewise to have exhorted them not to think there was any wickedness so great, but if they did cast off God, and were forsaken of him, they might fall into it. He had been once in a good way, but had left it, and they saw the effects of that; yet God had mercifully brought him back to it, and therefore he intended to pray them to fear God, and keep his commandments, and it would be well with them.'

This was the substance of that which he had purposed to say; but when he came to the place, the noise was so great there, that he said he would speak nothing, but left it to me to publish what I knew he had intended to say; and so he continued in his devo-

tions, reading some prayers and hymns out of Dilheren's book ; and, in several passages as he read them, I perceived great joy in his looks. He told me, his mind continued firm and settled in his joy in God ; and so he went on a while reading, at last he threw his book to me, and wished me to give it to some good soul. He said a few words to the Captain in High-Dutch, which I did not quite understand : but by his manner I judged it was a declaring that he forgave him, and died in charity with him ; to which the Captain made a short answer, that seemed to me a return of his kindness. But the crowd was such, that the German minister could not possibly come to the place, so this was lost.

And this is all the account I can give of Lieutenant Stern ; it is the substance of many and long conversations I had with him ; French was the language in which we discoursed, and he expressed himself very well in it.

I cannot give so long an account of Borosky, the Polander, for all my discourse with him was by an interpreter, and the Lieutenant did for the most part interpret between us. I found that the course of his life had been very honest and innocent ; and that, before he committed this barbarous act, he had not been guilty of any enormous crime in his whole life ; and that, particularly the last year of it, he had a greater sense of the fear of God than formerly, so that he had reformed his life to such a degree, that he had not been guilty of one act either of drunkenness or uncleanness, of swearing or lying ; and that he had constantly prayed to God. He said, That, when Count Conningsmark made that proposition to him, which he told me much more largely than I find it is in his confession, he was troubled at it, and went into another room, and kneeled down and said the Lord's prayer ; but concluded, since his mind was not fortified against it, that God had appointed that he should do it. He said, in his country they were bred up in such an opinion of their duty to their masters, and of their obligation to maintain their honour, that he, believing the relation the Count made of the English gentleman (for Mr. Thynn was not named to him) having intended to murder him, and having set six assassins on him, thought himself in some sort absolved, if he should revenge such an attempt. He was also deluded by what the Captain told him, that, if they happened to be taken, he only, and not the Polander, would suffer for it ; so that he was easily wrought on to do it. He was not spoke to by the Count till one o'clock on Sunday, but whether in the morning or afternoon, I do not know, and it was acted that same evening ; so that he was never alone, nor had he any opportunity of recollecting himself, but was hurried upon it blindly.

He told me one passage that befel him after his imprisonment, which he firmly believed was real, and not the effect of a disturbed fancy. He said, being shut up in his chamber a day or two after his imprisonment, he thought in the night being fully awake, that one opened the door, which he fancied was his keeper coming to him ; but when he looked at it, it was a woman who had appeared

sometimes to him before in Germany, upon some extraordinary occasions. She looked on him, but spoke nothing to him; and vanished. He verily believed this was sent from God to him, to touch his heart; and, whether it was real or only imagined, it had certainly a very good effect on him. For from that time he was wonderfully changed.

He said, he continued about four days as in hell, by the rack that he felt in his conscience; but, after that, he came to have great quiet, and assurance of God's mercy. He had no fear of death, but every time I asked him concerning it, he said he was ready for it, and longed for it more than ever he did for any thing in his life. He assured me he had from his heart forgiven both the Count and the Captain, and that he prayed earnestly for them.

The Lieutenant often told me, That he had an excellent soul, and that, though he had not much knowledge, yet he himself learned much from him; for he had the simplicity of a little child, and a love to God, and to his Saviour, that passed all knowledge. So that he spent almost his whole time in praying, and praising God. He went out of the chamber, when he was called on by the officers to his execution, with great cheerfulness; and, by his looks, and carriage in the cart, expressed a great sense of his condition: he seemed to have no sort of fear in him, nor did he in the least change colour, or was he at all terrified.

In the last place, I must say something of Captain Vrats, which I do unwillingly, because some passages are not such as I can reflect on with any great satisfaction. It is certain, that never man died with more resolution and less signs of fear, or the least disorder. His carriage in the cart, both as he was led along, and at the place of execution, was astonishing: he was not only undaunted, but looked cheerful, and smiled often. When the rope was put about his neck, he did not change colour nor tremble; his legs were firm under him: he looked often about on those that stood in balconies and windows, and seemed to fix his eyes on some persons: three or four times he smiled; he would not cover his face as the rest did, but continued in that state, often looking up to heaven, with a cheerfulness in his countenance, and a little motion of his hands. I saw him several times in the prison: he still stood to the confession he made to the council till the last day of his life; he often said to me, he would never say any thing but what he had said at first.

When I was with him on Sunday before his death, he still denied all that the Lieutenant and the Polonian had said, and spoke severely of them, chiefly of the Lieutenant, as if he had confessed those things which he then called *lies*, in hopes of saving his own life by it, or in spite to him, that he might not be pardoned: and all I could say, could not change his mind in that. I told him it was in vain for him to dream of a pardon, for I assured him, if any kept him up with the hopes of it, they deceived him. He had two opinions, that were, as I thought, hurtful to him; the one was, that it was enough if he confessed his sin to God, and that he was

not bound to make any other confession; and he thought that it was a piece of popery to press him to confess. He had another odd opinion also of the next state: He thought the damned were only excluded from the presence of God, and endured no other misery, but that of seeing others happier than themselves: and was unwilling to let me enter into much discourse with him for undeceiving him: He said it was his own affair, and he desired to be left to himself; but he spoke with great assurance of God's mercy to him.

I left him, when I saw that nothing I could say had any good effect on him, and resolved to have gone no more to him; but when I understood by the German minister, and by the message which I heard delivered in his name to the Lieutenant and Polander, the night before his execution, that he was in another temper than when I saw him last, I went to him; he received me more kindly than formerly; most of his discourse was concerning his going to the place of execution, desiring that it might be in a coach, and not in a cart: and when I prayed him to think of that which concerned him more, he spoke with great assurance, that it was already done, that he knew God had forgiven him; and when I wished him to see that he might not deceive himself, and that his hope might not be ill-grounded, he said it was not hope, but certainty, for he was sure God was reconciled to him, through Christ. When I spoke to him of confessing his sin, he said he had written it, and it would be published to all Europe, but he did not say a word concerning it to me; so I left him, and saw him no more, till I met him at the place of execution: when he saw me, he smiled on me, and whereas I had sometimes warned him of the danger of affecting to be a counterfeit bravo (*faux brave*) he said to me, before I spoke to him, that I should see it was not a false bravery, but that he was fearless to the last. I wished him to consider well upon what he grounded his confidence: he said, he was sure he was now to be received into heaven; and that his sins were forgiven him. I asked him if he had any thing to say to the people; he said no. After he had whispered a short word to a gentleman, he was willing the rope should be tied to the gibbet: he called for the German minister, but the croud was such, that it was not possible for him to come near. So he desired me to pray with him in French; but I told him I could not venture to pray in that language, but, since he understood English, I would pray in English. I observed he had some touches in his mind, when I offered up that petition, that, for the sake of the blood of Christ, the innocent blood, shed in that place, might be forgiven; and that the cry of the one for mercy might prevail over the cry of the other for justice. At these words he looked up to heaven with the greatest sense that I had at any time observed in him. After I prayed, he said nothing, but that he was now going to be happy with God, so I left him. He continued in his undaunted manner, looking up often to heaven, and sometimes round about him to the spectators. After they had stood about a quarter of an hour under the gibbet, they were asked when

they would give the signal for their being turned off; they answered, that they were ready, and that the cart might be driven away when it pleased the sheriff to order it; so a little while after it was driven away, and thus they all ended their lives. It is possible, that, conversing in the French, as we did, some small mistakes might have been made, either by them in expressing themselves, or by me in not understanding them right: but I am sure they could not be material; for I took care to make them repeat what they said, that was of any importance, often, and in different words; so that any errors that may have been committed, are inconsiderable.

March 11, 1681-2.

G. BURNET.

### DOCTOR HORNECK'S ACCOUNT

*Of what himself observed in the Carriage of the late Prisoners.*

THE Lieutenant and Polonian, the authors of the following papers, having acquainted me with their intent to have them published to the world, to testify the sincerity of their repentance; I was very willing, at the desire of Dr. Burnet, with whom they intrusted them, to be instrumental in the translation, and to take this opportunity to give my sentiment of the behaviour of the respective prisoners. The first time the Doctor and myself went to visit them, we saw no sense of the crime in any of them, but the Polonian, who professed his sorrow, and gave me a large account of his condition, and how he came to be drawn into the barbarous murder, by the captain; adding, that whatever the captain might say in his own vindication, that it was through his servant's mistake that the fact was done; if he had a thousand lives, he would venture them all for this truth, that the captain did peremptorily bid him fire upon the coach, and kill the gentleman that was in it. And that he was so far from mistaking his command, that, after reasoning with him about the barbarousness of the deed, the captain bid him not trouble himself about that, but do what he commanded. The lieutenant, when I told him, that according to our laws, men present at a murder committed, were liable to the same penalty with the actors; replied, if that be your law, I have nothing to say against it. And, at that time, seemed to have no great remorse, which made us leave him, after some exhortations to repentance, and consideration of his ways.

The captain, at the same time, hard as flint, entertained us with a discourse of his resolutions to believe himself innocent, to defy death, and to fancy, that, if his judges would be impartial, they could not blame or condemn him. So we left him. The second visit I made them was in a few days after, when the lieutenant sent for me: and, being then to pass by the captain's chamber, I thought fit to call upon him, before I saw the other; and here, repeating my



former counsels to him, and putting him in mind of the all-seeing eye above, who knew his crimes, though he did conceal them from man, he was pleased to tell me, that he had far other apprehensions of God, than I had, and was confident God would consider a gentleman, and deal with him suitably to the condition and profession he had placed him in; and would not take it ill, if a soldier, who lived by his sword, revenged the affront offered to him by another. I replied, that there was but one way to eternal happiness, and that God, in his laws, had made no exception for any sorts or degrees of men; and, consequently, revenge in a gentleman was a sin God would not pardon, without true repentance, any more than he would forgive it in a peasant. He asking me hereupon, what repentance was? I told him it was, so to hate the sin we had done, that, for the future, no argument should prevail with us to commit it again. To which he said, That if he were to live, he should not forbear to give any one as good as he brings: with some other expressions, which I am loth to repeat, for they made me so melancholy, that I was forced to leave him. Yet I bid him consider of what he had said, as he loved his own soul.

I went from thence to the lieutenant, in whom I found a very great alteration, and saw now several good books, and the bible among the rest, lying before him; and he now was readier to confess his guilt, than I to exhort him to a free confession; several things, he had said to Dr. Burnet, he expressed now to me, adding, that it was God's just judgment upon him to let him fall thus: For when he consented to engage with the captain in the fatal enterprise, he had not said his prayers, nor read in his beloved book, *Dilheren's Way to Eternal Happiness*, in a month before; which two things, if he had continued to do, with that devotion he used formerly, the devil could not, and should not have persuaded him to come into such a desperate confederacy. I advised him to repeat Psalm li. often, as being most suitable to his condition; and directed him to other prayers in a book, which the Lutheran minister had lent him. He now told me how he was concerned for the captain, and cried out, O this hard-hearted captain, I pray for him day and night, that God would turn his heart and melt him, and make him sensible of the errors of his ways. He professed that he did not desire to live; all the favour he begged of the king, was, that he would cause him to be beheaded, for the reasons mentioned in the preceding papers. Yet he hoped his fall was permitted by Almighty God, to bring him to a true sense not only of this, but of all his other sins; and that God suffered him thus to be thrown down, that, through that toss, he might rebound the higher; and that though he had walked in the dark, yet he doubted not, but God would draw light from that darkness. He protested, at that time, upon my expostulations with him, that it was not approaching death, and the punishment that was like to attend him in this world, that moved him to repentance, but the blackness of the crime, and his offending a gracious God, and forgetting his dear Redeemer's precepts. And here he broke forth into holy ejaculations fit for a

Christian and a true penitent. And when, among other passages, I minded him, that it would not be long before he would come to his trial, and so to his execution; he cheerfully replied, That he was ready to obey God's summons. And whereas I told him, it would be within a few days; he said, he should be content if it were within a few hours. He then shewed me the places, in a little book he had by him, *The Way to Eternal Happiness*, which gave him the greatest comfort, and prescribed him most excellent directions. The book treated of the nature of a true repentance, of confession to the ministers of the gospel, of the Lord's supper, and the rules of a Christian life; to which are added several meditations proper for festivals, prayers suited to all conditions, and a pathetick sermon on the Passion of Christ; all which, he said, were a great support to him in his present condition, which he deplored chiefly, because he had made so bold with God, who had manifested himself to him upon many occasions. I asked him whether he had been seduced by the count, or by the captain? To which he answered, that he had been in the count's company twice, but the captain would not let him know that it was the count, yet he believed it was he, having formerly seen him, and that the captain still told him that he had a quarrel with such a gentleman.

I went from thence to the Polonian, whom I found engaged in reading a German book, containing prayers and devotions, fit for a penitent, which, he told me, he was repeating to himself day and night. I gave him such heads of contemplation, as I thought proper for his condition and capacity, exhorted him to recollect himself, and to find out what other sins he had formerly lived in, it being not sufficient to deplore one, but all he could remember, upon serious examination; which he promised me to do, and so I departed.

The last time I was with them was on the eighth of March, and, while Dr. Burnet went to the lieutenant, I visited the captain; whom, when I had saluted, I told him, I hoped he had taken his dangerous condition into consideration, and wrought himself into a greater sense of his sins, than I could observe in him, when I was last with him. He said he knew not what I meant by this address. I then explained myself, gave him to understand, that I spoke it with relation to the late great sin he had been engaged in, and that I hoped, his approaching death had made him more penitent, than I had found him the other day. To which he replied, that he was sensible he was a great sinner, and had committed divers enormities in his life-time, of which he truly repented, and was confident that God had pardoned him; but he could not well understand the humour of our English divines, who pressed him to make particular declarations of things they had a mind he should say, though never so false, or contrary to truth; and at this, he said, he wondered the more, because, in our church, we were not for auricular confession. He guessed, indeed, he said, what it was we would have him declare, &c. that Count Coningsmark had been the contriver of the murder, and had been in consultation with him about com-

passing his design, and prompted and bribed him for that end ; which falshood he would never be guilty of, if he had never so many lives to lose. He understood, he said, that the lieutenant had been tampered with, and, by promises of a decent burial, enticed to confess things notoriously false ; as that he should shew the said lieutenant a letter, signed hy Count Coningsmark, to engage him in the business, and offer him money to stab Mr. Thynn, &c. But, as for his part, he was resolved to confess no more, than he had already declared publicly before the council.

I let him run on, and then told him, that he was much mistaken in the divines of the church of England, who neither used to reveal private confessions, nor oblige offenders, in such cases, to confess things contrary to truth ; that this was both against their practice and their principles : the confession, I said, he was so often exhorted to, was no private, but a publick confession ; for, as his crime had been publick, so his repentance and confession ought to be publick too ; and in that he was loth to come to it, he gave us but too much occasion to suspect, that his pretended repentance was not sincere and cordial. I told him, that in such wrongs and injuries as he had done, there was either restitution or satisfaction to be made ; at which word he replying, how could he make restitution, now Mr. Thynn was dead ? I answered, because he could not make restitution, that therefore he should make some satisfaction ; and this he might do, by a free and full confession of his sin, and of the cause of it, and who they were that put him upon it. I added, that, where true repentance melts the heart, after such commissions, there the true penitent was readier to accuse himself than others to charge him with the crime, and would have that abhorrency of the sin, that he would conceal nothing, that served either to aggravate, or expose it to the hatred of all mankind ; and that it was an injustice to the publick, not to betray the accomplices, and assistants, and occasions, in such heinous offences. I told him, he seemed to talk too high for a true penitent, for those, that were truly so, were exceeding humble, not only to God, but to men too ; and one part of their humility to men was, to confess to them, and to their relations, the wrong they had done them : whereupon he answered, that it was enough for him to be humble to God, but he knew of no humility he owed to man ; and God, he believed, had a greater favour for gentlemen, than to require all these punctilioes at their hands ; and that it was absurd to think, that so many thousand gentlemen, abroad in the world, that stood upon their honour and reputation as much as he, should be damned, or for ever miserable, because they cannot stoop to things, which will prejudice and spoil the figure they make in the world. As for his part, he said, he believed Christ's blood had washed away his sins, as well as other men's, for on this errand he came into the world, to save sinners ; he was, indeed, sorry Mr. Thynn was dead, but that was all he could do. I told him, that Christ's blood was actually applied to none but the true penitent ; and that true repentance must discover itself in meekness, humility, tender-heartedness, compassion, righteousness,

making ingenuous confessions, and, so far as we are able, satisfaction too, else, notwithstanding the treasure of Christ's blood, men might drop into hell.

Upon this he replied, that he feared no hell. I answered, possibly he might believe none, or, if he did, it might be a very easy one of his own making. He said, he was not such a fool, as to believe that souls could fry in material fire, or be roasted, as meat, on a great hearth, or in a kitchen, pointing to the chimney. His belief was, that the punishment of the damned consisted in a deprivation of the gracious and beatifick presence of God; upon which deprivation, there arose a terror and anguish in their souls, because they had missed of so great a happiness. He added, that possibly I might think him to be an atheist, but he was so far from those thoughts, that he could scarce believe there was any man so sottish in the world, as not to believe the being of a God, gracious and just, and generous to his creatures; nor could any man, that was not either mad or drunk, believe things came fortuitously, or that this world was governed by chance. I said, that this truth I approved of, and was glad to see him so well settled in the reasonableness of that principle: and, as for material fire in the other world, I would not quarrel with him for denying it, but rather hold with him, that the fire and brimstone, spoken of in Scripture, were but emblems of those inward terrors, which would gnaw and tear the consciences of impenitent sinners; but still this was a greater punishment than material fire, and this punishment he had reason to fear, if he could not make it out to me, or other men, that his repentance was sincere.

Hereupon he grew sullen, and some good books lying upon the table, one of which was Arnt's True Christianity, he turned away from me, and seemed to read in it; and, after a short pause, he told me, that he understood the Lieutenant's papers were to be printed, wherein there would be part of Count Coningsmark's letter, with some other circumstances, reflecting on the Count and himself; but, if they were printed, he would print his own story too, which should undeceive the world, in the fancies and opinons, the Lieutenant's papers should draw them into; and, in that paper, he would set forth the behaviour and manners of the English clergy, and the strange ways and methods they take, with poor prisoners, to extort confessions from them. As for the Lieutenant, he said, he was a fellow that was poor and wretched, and, by his means kept from starving, and sometimes he was not well in his wits; that himself was a gentleman, and a man of an estate, and should leave great sums of money behind him; and that no English gentleman would have been so coarsly used in his country, meaning Pomerania, as he hath been in this; and, if the Lieutenant persisted in his falsities, he would die with a lye in his mouth. I said, it was not probable that a dying man, and a man that was so very sensible of his sins, and who had betrayed nothing of any disorder in his carriage, during his imprisonment, should tell and aver things, which he knew to be untrue. He said, it was no strange thing, in England,

for dying men to speak notorious untruths, there being not a few examples of those who had lately done so. I told him, it would be very fit that the Lieutenant and he should speak together, and Captain Richardson, I thought, would send him presently. With that he grew angry, and replied, he had nothing to say to him, nor did he care for seeing him, nor for being troubled with any English divines; they being men too inquisitive and meddling with things that belonged not unto them; and hereupon he turned away from me again to the book that lay upon the table.

By and by the Lieutenant came in, with a penitent countenance, and a mortified look; the Captain, seeing him, grew presently cholerick, and retired into a corner of the room, and then asked him, what he came to trouble him for? He did not care for the sight of him, especially since he had bespattered him so notoriously with untruths. The Lieutenant very meekly told him, that they had not long to live, and therefore he was come to admonish him to repent of what he had done, and to tell him, that he freely forgave him the wrong he had done him, by drawing him into the late unhappy action. The Captain hereupon called him liar, and asked him, how he durst vent such abominable lyes concerning him and Count Coningsmark; how he could have the confidence to tell men, that he shewed him a letter of the Count's, in order to engage him; and of four hundred pounds, that he should offer him, to stab Mr. Thynn, and talk sometimes of four-hundred, and sometimes of two-hundred pounds, which was a perfect contradiction; and if, saith he, I had been so base or foolish, as to make you such an offer, you, that were the elder man, and may be supposed to have had more wit than myself, why did not you chide and reprove me, for tempting you to such dishonesty? One would think you are distracted, or had a soft place in your head: is this your gratitude to a person that hath relieved you, and done you kindnesses? And are you not afraid to die with a lye in your mouth? Here I interposed, and told the Captain, that this wrath and anger was but an ill preparation for another world, and that greater meekness and charity would become a dying man. To this he answered, it is you divines that are the causes of this passion, by obliging people to confess more than is true. The Lieutenant, all this while, heard the Captain very patiently; professed that this was the first time that he was called liar to his face; and that, which formerly he could not have endured from the greatest man, he was very willing to bear now, out of respect to that God, from whom he expected pardon of his sins. And, as for what he had said and confessed to other men, he took God to witness, that it was nothing but truth; and though it was possible, in his confessions, he might mistake pounds for dollars, that being the word commonly used in telling money in England, as dollar is in Germany, yet he meant nothing by it but dollars; and what he had said of the different sums, was very true, for at one time he had offered him two-hundred, at another four-hundred, so that could be no contradiction. The Captain, notwithstanding this, still called him liar, and ungrateful, while the Lieutenant stood before

him, talking with great meekness and humility, and, for the most part, with his hat off, and saying to him: You know, and your conscience knows the truth of these things; why would you offer me these sums? You know you made me these offers; God forgive you, and I forgive you. This said, when the Lieutenant saw that his speaking did but enrage him more, he took his leave, wishing him a sight of the error of his ways. The Lieutenant being gone, I stayed, hoping this religious confidence of the Lieutenant might work the Captain into remorse, but it was all in vain: I persisted in my former assertions, that repentance could not be true, which was not attended with meekness, humility, and patience; but he turning from me, and looking into his book, and refusing to give me an answer, I left him too, wishing him a better mind.

From thence I went up to the penitent Lieutenant, where I found the Polonian too. I told the Lieutenant, I was heartily glad to see his christian behaviour under reproaches, and nothing pleased me more in matters of repentance, than humility and patience under injuries, a thing absolutely necessary, where we have to deal with God, who hath been for many years patient, under the injuries we have offered to his Majesty. He then vented some comfortable ejaculations, and expressed how freely he forgave that stubborn man, whom no intreaties or arguments could work upon. And while Dr. Barnet went with the Lieutenant to the fire-side, I entered into discourse with the Polonian, who gave me his confession in High-Dutch, written from his own mouth by the Lieutenant, and signed by him the Polonian. I asked him, whether, as he hoped for mercy of the great God, he believed the things said, in that confession, to be true or no? He answered yes; whereupon, to be fully satisfied, I desired a German gentleman then present to read it over again in his, and my hearing, and to read it distinctly, that in case there were any mistakes in it, he might rectify it; for as I was willing, I said, he should clear himself, so I should be sorry he should asperse another man, or say any thing of him, that might unjustly reflect upon his reputation. He promised me, that he would attend carefully, and take notice of every expression, which accordingly he did; and, finding a mistake in the paper, in point of time, he immediately gave notice of it, which I caused to be rectified; and having heard it read over before him, I charged him once more, as he was to give an account to God, in a day or two, to tell me, whether things were carried on, and managed in those circumstances, as are mentioned in the paper? To which he religiously answered in the affirmative. I asked him thereupon, how long he had been a Protestant of the Augsburg confession, for he had been bred a Papist? To which he answered, ever since his last sickness; which, as I remember, he said, was about Michaelmas last; when being told, that the Protestant religion was more conformable to the Word of God, he consented to embrace it, and hath kept to it ever since. I demanded of him to tell me seriously, whether he had not led a very debauched life formerly, which made him venture upon that late inhuman enterprise; he told me no, and that he had

been so far from committing any such crime heretofore, that he had had the good fortune to live with masters, who were sober, and men that were enemies to disorder and debauchery; that, according to his capacity, he had always made conscience of grosser sins, and had been very punctual in saying those prayers he had been taught, either by his parents, or such persons as he conversed with; and that Captain Vrats, when he bid him shoot Mr. Thynn, told him, that it was here, as it was in Poland, where the servant, that doth his master's command in such cases, is blameless, and the master bears all the burden; and that prevailed with him, tho' he found no small reluctancy in his breast, and pleaded with the Captain about the heinousness of shedding innocent blood. I then endeavoured to find out what kind of repentance he felt in himself, whether it proceeded from fear of a shameful death, or from an hatred of sin, and love to God; whereupon he gave me such an account as his honest simplicity dictated to him, and said, that, if he were to live any longer in this world, he verily thought this one sin would keep his soul so awake for the future, that it would not be an easy matter to make him act again, against his conscience. This had roused him, and he now perceived the sweetness of a good life, and keeping close to the ways of God. He was sensible he had deserved the punishment, the law would inflict upon him; and all his confidence was in the blood of Jesus, who knew how he was drawn in, and the plainness of his temper, wrought upon by the Captain's subtlety; however, he freely forgave him, and commended his soul into the hands of God. And here ended my conference with the respective prisoners; having wished them the powerful assistance of God's holy spirit, I took my leave of them. The Lieutenant, who in repeated words expressed his honest design, in having the following papers published, desired me to go with him, on Friday following, to the place of execution, there to tell the spectators what he should think fit to say to them: I told him I would very readily oblige him in his request, but that I was bound to preach that very morning, and that very hour, when he should be led to the place of execution; however, Dr. Burnet, who had been his spiritual father all along, would not fail to do that last office for him, in which he rested satisfied; and with all humility, in a penitent posture, bid us adieu.

In the translation of the following papers, I could not be curious in the stile, because I was forced to keep to the simplicity of the Lieutenant's expressions. He writ not to shew his learning, but his piety; having never been brought up to letters, rhetorick is not a thing that can be expected from him. Truth sounds better from a plain man, than from an orator; and the less ornament there is in a dying person's discourse, the less it will be suspected of hypocrisy. The expressions used here speak his heart more than his fancy, and when a man is preparing for a tremendous eternity, it would be foolish to study eloquence. The words here are not chosen, but flow naturally; and the honesty of his soul dwells in the home-spun meditations. To have affected better language, than himself used, had been injustice; and to say in English what he had not said in

his own language, had not been to translate, but to polish his admonitions. Such a plain harangue, it is like, may be nauseous in a critical age, where learning and wit ride in triumph; yet a soul, touched with the same loadstone that his was, can relish the sweetness of it: himself was afraid, that the simplicity of the language would be an offence to the curious readers; and therefore begs of them, when they came to peruse it, to make greater use of their charity, than their sagacity.

The same I must say of the Polonian's confession, where you must expect no better entertainment; he could but just express his meaning, and was no greater scholar than nature had made him.

I was at first in some doubt, whether I should publish the Captain's answers to my queries and expostulations, because some of them savour of prophaneness: yet considering that the Evangelist hath thought fit to acquaint the world with the ill language of the one, as well as with the penitent expressions of the other malefactor, I was willing to follow that great example; hoping that those loose discourses of the man may serve as sea-marks, to warn passengers from running upon these sands. That which I chiefly observed in him was, that honour and bravery was the idol he adored, a piece of preposterous devotion, which he maintained to the last, as if he thought it would merit praise, not to decede from what he had once said, though it was with the loss of God's favour, and the shipwreck of a good conscience. He considered God, as some generous, yet partial prince, who would regard men's blood, descent, and quality more than their errors; and give vast grains of allowance to their breeding and education; and possibly the stout behaviour of some of the ancient Roman bravo's, for he had read history, might roll in his mind, and tempt him to write copies after those originals; or to think, that it was great to do ill, and to defend it to the last. Whether after my last conference with him he relented, I know not; those that saw him go to his execution observed, that he looked undaunted, and with a countenance so steady, that it seemed to speak his scorn, not only of all the spectators that looked upon him, but of death itself. But I judge not of the thoughts of dying men; those the searcher of all hearts knows best, to whom men stand or fall. I cannot say, that I remember every syllable of the several conferences; but sure I am, I have not mistaken the sense of what he said, nay think I have kept to the very words, he then used, as much as is possible. I would not wrong the living, much less the dead; but truth is a thing, which though not always conveniently, yet may lawfully be said at all times: this was all I aimed at, and because reports are already spread abroad of other discourses and expressions, this unhappy man should use to me, and how he affronted me in prison, it was fit the world be undeceived.

ANTHONY HORNECK.

*At the Savoy, March 13, 1681.*



FOR DR. BURNET.

SIR,

I heartily thank you for all your kindness; and promise myself, that, according to your word, you will publish my little writings, intended only to let the world see, that I came not into this country with a design of being engaged in the late black deed. And, since the Justices have not declared what I can say, or did say for myself, the rabble, it is like, will be of opinion, that money brought me over into these parts: in which verdict, they will be undeceived, if you will be pleased to let them read, in English, what I have set down in these papers.

I remain, Sir, your obliged Servant,

*Written in the Prison,  
London, 1682.*

JOHN STERN.

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 THE

LAST MEDITATIONS, PRAYERS, AND CONFESSION

OF

LIEUTENANT JOHN STERN.

*Let God have all the Glory, and Man acknowledge his own  
Unworthiness.*

I **S**EEK ye first God's kingdom, and his righteousness, and all these things shall be added unto you, Matt. vi. 33. I said in my trouble, I am cast out from thine eyes, notwithstanding, thou didst hear the voice of my weeping. When I cried unto thee, thou didst see my trouble, and didst know my soul in adversity. Watch, and pray, that ye enter not into temptation, for the devil, like a roaring lion, walks about, seeking whom he may devour. In the third book of Moses, it is written, thou shalt bear no malice to any of the children of thy people; by these are meant our neighbours. In the first book of Moses, chap. vi. The inclinations of man are said to be evil from his youth; but the spirit of God can endure no such maliciousness.

I have been a traveller, any time these twenty-three years, and have perceived but little malice in my heart; though I have had too often cause and provocation, yet have I committed all to God, as the supreme judge of all. What hath brought me to this present misfortune, is known to God alone; yet I am greatly to blame, because I did not abandon the world, lived in carnal security, and minded the lusts of the flesh, more than God, blessed for evermore;

for which I am heartily penitent, and I thank my God, who hath brought me to a knowledge of myself, and given me his grace, to come to a true sorrow for my manifold sins; if I have been enticed, or tempted by any person to this wickedness, as it is evident I have, I beg of God to pardon him, for Christ's sake: and I desire all persons, that shall read what I have written here, during my imprisonment, to consider of it seriously. Let no man rejoice at his neighbours' misfortunes; every man's last hour is not come yet: when you see a prisoner led along, pray for him, for the same may happen to you: have compassion on your neighbours, and God will have compassion of you. Be merciful, and God will be merciful to you. I give thee thanks, sweet Jesu Christ, son of God, that thou hast given me to understand so much out of thy holy word; give me constancy and perseverance, that I may obtain the salvation of my soul. Amen.

II. God saith, man, help thyself, and I will help thee: but alas! while we are in this valley of tears, we think seldom, or not at all, of the divine assistance; our eyes are darkened, and we consider little besides the lusts of the eyes, and the lusts of the flesh, and the pride of life, of which Christ himself hath sometimes complained, when men have forgotten him: happy is the man that feels true repentance in his heart. Lord Jesu! give me that grace, who am the chief of sinners. God, thou hast not sent thy son into the world, to condemn sinners, but to save them: O, save me not for my sake, but upon the account of that precious blood, which was shed for me on the cross.

III. I pray God, nobody may be scandalised at what I write, but let every body lay to heart what a poor sinner writes in prison. Ye children of the world, when will you bethink yourselves, and consider the things which belong to your peace, but it is hid from your eyes. O, may it not continue hid from you! keep close to the word of God, and think on the woman's seed, which was to bruise the serpent's head: be vigilant, and pray, that ye fall not into temptation; think often, that your sins are an abomination to God: take heed you give no ill example to young children, which if you do, your account will be dreadful.

IV. John, the forerunner of our Lord Christ, when he began his ministry, the first words, he let drop from his mouth, were, to recommend repentance unto the impenitent, Matt. iii. and Matt. iv. saying, the kingdom of heaven, and the day of grace, is come to you, and at hand, and God offers you pardon of sin, and eternal life. In the vith of St. Mark, the twelve apostles went out, and preached, that men should repent; and Acts iii. Repent, and be converted, that your sins may be blotted out. And Acts xiv. What mean ye, sirs, we preach unto you the gospel, that ye may turn to God. O my dear Lord Jesus, make me partaker of this conversion, for thy name's sake! Amen.

V. Acts xvii. 30. Ye men of Athens, the times of ignorance God winked at, but now he commands all men every where to repent. Act. xxvi. 20. St. Paul shews to king Agrippa, that he was there.

fore called from heaven, to be an apostle, to preach repentance both to Jews and Gentiles. Ye that are parents, if you have children, keep them close to the fear of God; teach them the creed, and the ten commandments; send them to school, and bind them out to an honest trade; be not ashamed of this, it is better than an idle life, or French gallantry, dancing, &c. Keep your children out of bad company, whether they be sons or daughters. A heathen writes, that, evil communication corrupts good manners, which myself hath had very sad experience of. Before my twenty-three years travel, I should have learned a trade; but it is too late now. God give me patience in all my sufferings. I hope, by the help of God, I shall, before long, be separated from the world; for it is my greatest desire and comfort to dwell with God. Amen.

VI. Gen. iii. God saith, in the sweat of thy brows, shalt thou eat thy bread, till thou return to the earth, of which thou art taken. Psal. civ. When the sun rises, man goes forth to his labour; but not to such labour, as the devil suggests and tempts men to.

VII. John xxi. When Peter was more concerned about St. John, than about himself, the Lord said, what is that to thee! Luke vi. It is said, thou hypocrite first pull out the beam that is in thine own eye, and then thou shalt take the mote out of thy brother's eye; and thus it is with us. The mote in our brother's eye we easily spy, but are regardless of the beam in our own eye.

VIII. Rom. xiv. It is said, who art thou that judgest another man's servant; he stands or falls to his own master; he shall be holden up, for God is able to hold him up. Preserve my steps, O Lord, that my foot slip not. O Lord, by thy power, strengthen the weakness of my flesh, that I may fight manfully, and, both in life and death, may press toward thee. Amen.

IX. And now ye that are governors of the world, abstain from anger, exercise justice, let not the sword grow rusty in the scabbard, though you begin with mine own head; let the will of the Lord be done. Ye princes and great lords, do the same; have an eye upon your officers, and take notice, how, instead of doing justice to the widows and orphans, they go about banqueting, visiting of play-houses, playing and hunting; the rest I will not name, for fear of giving scandal to the younger sort; see that none of them take bribes, for unjust bribing cries to heaven for vengeance. By the word governors, I understand kings, princes, viceroys, lords of countries and provinces in Christendom; colonels, captains, and whatever titles they may have; punish none that are innocent, release rather ten that are guilty, than condemn one innocent man. Ye kings, princes, and presidents, let no proud and fantastick dresses be allowed of in your land; for, through pride, the angel turned devil. Ye fathers and mothers, cloath your children decently, when they are little; when they grow big, they soon become bad enough. Let no man be taxed or rated above his ability; oppress not the poor, rather help him to bear his burden, as much as it is possible.

X. Let us say, out of Psal. xviii. 28. The Lord my God turns my darkness into light. In Genesis we read, that the thoughts of man's heart are evil from his youth. The spirit of the Lord can take away that sinful inclination: I will say with David, Psal. lxxxi. Create in me a clean heart, O God, and renew a right spirit within me; cast me not away from thy presence, and take not thy holy spirit from me. Out of Psal. cxv. O Lord, not unto us, not unto us, but unto thy name, give all the honour and glory. He that is fallen into poverty, let him hope in God, he will help him. Psal. l. God himself saith, call upon me in the time of trouble, and I will deliver thee, and thou shalt praise me. My strength is made perfect in weakness, for Christ is good and gracious; and, because he is merciful, let us call upon him; as it is said, Luke xv. Father, I have sinned against heaven, and before thee, and am no more worthy to be called thy son, make me as one of thy hired servants.

XI. The apostle St. Paul mentions, in a certain place, how a man may have all things and yet have no charity. Christ also exhorts us to love one another. I may say as it is in the song, Love is quite extinguished among the children of men. Deut. xxii. If thou see a stranger's ass, or ox, go astray, thou shalt take them into thy house. Levit. xix. Thou shalt bear no grudge to any of the children of thy people, which have provoked thee to anger. Prov. xxi. If thine enemy hunger, give him meat; if he thirst, give him drink. Matt. viii. and Luke vi. I say unto you that hear, love your enemies, bless them that curse you, do good to them that hate you, pray for them that persecute you, and despitefully use you, that ye may be children of your father, which is in heaven, who is good to the unthankful, and to the evil. Think of this ye proud, vain-glorious, and wrathful men, who say, Shall I yield? I am much better than you. Agree with your brother quickly, while you are yet in the way with him. When you come to your long home, you will be weary, and find another register, or book of account before you. And here I beg, of all those who shall read these lines, if in any thing I have been against them, or offended them, to forgive me, for Christ's sake.

XII. Eccles. vi. Solomon saith, It is an evil that I saw under the sun, and it is very common among men, that God hath given to some men riches and honour, and they want nothing that the heart desires. By such, Solomon understands lords, and governors in this world: take heed of pride, and voluptuousness, wrath and anger, for these are now become very common; and such men are apt to cry, am not I a lord? Am not I a governor? King David was very penitent. Exod. v. Pharaoh tells Moses, who is the Lord, whose voice I should hear? But notwithstanding he must sink in the Red Sea. Take heed, the sea of sin is deeper than the western ocean; make haste, make haste to get into heaven's boat, that ye may get into the ship of God.

XIII. Ye proud, who is there among you, that will take a view of his life? This is very usual with you to cry, I have sent my taylor into France, to bring me newest modes and fashions. Thou hadst

better have gone to Jerusalem, and considered the passion of Christ, and much better would it be for thee, if, instead of voluptuous youngsters, thou hadst some grave ancient man about thee, whether secular or ecclesiastical; but such men must be fools among you, Gen. iii. When Adam and Eve, out of pride, affected to be like God, they were cast out from the presence of God. The Sodomites were proud, Ezek. xvi. 49. This was the sin of thy sister Sodom, pride and idleness, and fullness of bread.

XIV. Ye officers, colonels, and great men, how do you live? When a country minister dies, to whom goes the parsonage? To him that brings most money. Ye ask not, Have you studied hard? Do you live a good life? Are you a good preacher upon trial? Only the man saith, here is my purse, and that is enough. The deceased parson hath a son, it is true, that is a scholar, but he hath no money, or he is too young. The widow hath divers children; Thus, he pleads: And is not this a most lamentable thing? Ye generals and colonels, where are your camp-preachers? I do not ask you about quarter-masters, belonging either to generals or regiments; those you do not want, for they fill your purses: And what religion are they of? Why of this, to take all they can get. Who knows how long it will last? Sometimes you carry your camp-preachers, or army-chaplains, in your pockets? O, how do you rob God of his honour, and your neighbours of their souls! He that serves, let him serve faithfully, that he may be worthy of his salary: he that hath none, needs not trouble himself about entering into service. Ye generals, colonels, and commanders (when you are in your march, or form a camp, and are either besieging, or besieged) may remember to exercise brotherly love to the meaneſt, as well as the greatest. Ye commissaries, where is the provision ye are to make for the army? Three parts of it are in your pockets, and then you give the general a present, but the poor sheep may go to graze. You countrymen (that is the word) you must pay; give what you have, and the rest you may keep; such a great mith, or friend of the general, must have a safeguard. The poor widows and orphans are about like amazed people, with their children in their arms, their hair dishevelled, and tears running down their cheeks like pence, and you shall not find one in an hundred, that will give them one penny, though you great ones have, it may be, taken possession of their cows, calves, and sheep. Your soldiers, in their march, must at least have gifts brought them; sometimes the money is drawn out of people's purses by dreadful oaths. In another place, you let the poor soldiers lie, as it were, on a heap, and plague the whole country; then the poor must run to the rich, to borrow money, of them to treat and entertain the soldiers. You great ones have abundance brought in to you by your officers, whereas the poor soldier must content himself with an empty house. You cause the poor people's oxen and cows to be driven away, and then sell them; but the manner sort must eat dry bread.

XV. Ye gentlemen, butgemasters, aldermen, and grand bailiffs, pity the poor to your exacting contributions. Take heed ye oppress

not the widow and orphan, nor take their goods away for your private use, nor corrupt yourselves with bribes. Do you understand the Latin phrase, *Quid juris?* Or the other, *De pecunian?* To make your own cause good, you make feasts at the publick cost; and this happens often, when you are to sit as judges, either in matters of blood, or in civil causes. Before you do so, pray the Lord's prayer, and consider the import of that place, John xiii. 34. Hereby shall all men know, that ye are my disciples, if ye love one another, *i. e.* do justice one to another. There are many good christians among you, but, alas! far more of the other sort.

XVI. My lords, ye bishops, abbots, deans, if it be so, that, in the town or country you live in, you have, either for money, or kindred-sake, placed any ministers, or schoolmasters, which are not capable to look to their charge, or to instruct youth, you will have a very great account to give. Ye great ones, you should at least visit your clergy once a year; but I do not understand to what purpose you put the poor parson to the charge of a banquet, which takes off, at least, a fourth part of his income the first year, if his parishioners in the country do not help him. You should preach, and examine the children, this your office requires. If the minister hath good drink in his house, he is commended; and those, that love the good liquor, will commend his sermon; sometimes there is one that will give him a silver cup for his pains, and that is the humour of the world.

XVII. Ye merchants, ye know it is written, with what measure you mete, it shall be measured to you again. Live up to this rule, put not out your money to usury; content yourselves with honest gain, for all depends upon the blessing of God; unjust gains descend not to the third generation. Let every man, in his own station, take care to mind his calling, and do what he is commanded. Do not sit down and write two for one, and then lay the fault upon your man. Take heed of cursing and imprecations, whereby you endeavour to make old commodities new, especially where the buyer hath no great skill, whence he must needs be cheated; you give it him upon your word, though it is not worth a straw.

XVIII. Ye seamen and skippers, how do you live at sea? Take up your anchors in the name of God, and in the same name you ought to spread your sails. When the merchants grow rich, presently they must have great gardens, with delicate houses for pleasure, where they may treat their rich acquaintance: If they give at any time something to the poor, in their houses, or in the hospitals, it is not much. When they begin to be merry at their feasts, then the next discourse is about their incomes: I have a ship at sea, saith one, so much I got by this voyage. Wretched man! Thou talkest of thy gain, but dost not pray to God; thou mindest thy pleasure; thou dealest with the great ones in the country; sometimes thou goest abroad thyself, and courtiers do cheat thee; then, then thou cursest, because thou canst not recover it. In travelling, men meet with variety of people. Sometimes thou hast an old mistress, her thou goest to visit, and after that hast the confidence to ask, Why thy ship was lost at sea? (he that hath an honest wife, let him make

much of her, for she is a rare jewel.) The seamen, when they come to shore any where, nothing but drinking and carousing all night will serve them, and the glass must go round, and that is their way of living; and from hence come those many misfortunes at sea.

XIX. Ye doctors of the civil law, proctors, and advocates, it is needless to expound any thing to you out of the scripture, you are better scholars than I. Psal. xvi. it is written, I have set the Lord always before me: This is worth your thinking of; for there may be men among you, who love to shear the sheep, so long as there is any wool upon them; many of you are squint-eyed, looking for the hand that comes with a bribe; which is a thing that doth more with you, than the greatest justice of the cause that is before you. May be, there is one in fifty who contents himself with half so much as another man takes. The Holy Ghost direct your hearts, that you may mind your neighbour's good and welfare more, for that is to act like christians.

XX. Ye drunkards, ranters, and blasphemers, and underminers of your neighbours, who give ill counsel to their ruin. Ye whoremasters and gamblers, ye haughty and wrathful men, I pray God send you some sparks of his grace, that you may smite your breasts, as the publican in the temple. I hope you will consider the text we read in the holy scriptures, Rev. xviii. 7; where it is said of Babylon, how much she hath glorified herself, and lived deliciously, so much torment and sorrow give her. From hence, divines do infer, that every sin will meet with a peculiar punishment in hell, and, consequently, a proud and haughty man will have the honour of being tormented first, or before others, or will be trampled on by others. The voluptuous will have a cup of gall given him; a drunkard be plagued with an infinite thirst, Luke xvi. 24. The unchaste person, with putrefaction and worms, which shall break forth at the members whereby he hath sinned, Eccl. xix. 3. A slanderer, with serpents and scorpions. There were some comfort in it, if there might be an end of this, but, as the tree falls, so it will lie, whether it fall towards the south, or towards the north, saith Solomon, Eccl. xi. 3. so that no change of their torment is to be expected. The damned can get no comfort, no ease, no mitigation of their pain: If they could but have hopes of a drop of water hanging at a finger's end, Luke xvi. 24, this might yet refresh them. Rev. xiv. 11, it is said, They have no rest day nor night, but their shame and pain shall last for ever. The smoke of their torment shall rise for ever; read the aforesaid place, though you never read or considered it before; the door of grace is yet open. Ye drunkards and whoremongers, ye cry, Let us be merry, for who knows how long we are to live? When thou readest, Prov. vi. 11. So shall thy poverty come as one that travelleth, and thy want as an armed man; do not take in thy meat and drink like beasts, but with consideration of the superabundant and almighty goodness and mercy of God. Tit. i. 15. 1 Tim. iv. 4, 6. Prov. iv. 17. Ecclesiasticus xxxi. 21. Luke xxi. 34. For God's sake read these chapters, and you will see what hazard you run in living in the world, as if there were neither heaven nor hell. There

are too many, God knows, that believe all things alike. Let us confess our sins, and say, Help, Lord and Father, who art good to all, and givest to all, that we may walk in newness of life, and be zealous of good works, to thy glory, and the joy of angels, the love and edification of our neighbour, and the devil's envy, that we may, at last, obtain the end of our faith, the salvation of our souls; and hear the cheerful voice, Matth. xxv. 21, Well done, good and faithful servant, thou hast been faithful over a few things, I will make thee ruler over many things, enter thou into thy master's joy.

Great healer of the wounds sin makes  
In hearts with grief, and tears oppress'd,  
O! how my soul doth pine away  
With dolours great, and hard to bear?  
Almighty Saviour, take thou me,  
And let me in thy wounds be safe;  
Then, then, it will be well with me,  
My soul, my flesh, shall rest in thee.

Jonah iii. 6, 7. The king of Nineveh, and all his people, humbled themselves, put on sackcloth, and sat in ashes. Let us put on the garment of love, of true repentance, and sorrow for our manifold sins which we have committed, and, through the grace of God, we shall obtain deliverance from all our sins; for which deliverance I praise him. I do already feel the Almighty God in my soul, and, though I had the sins of the whole world upon my back, yet that good, that gracious God, would not let me sink under that burden, Psalm cxxx. Though our sins are multiplied, yet God's mercy is far greater; his helping hand is not limited. Let the hurt that hath been done be never so great, still he is the good shepherd, who will redeem Israel from all his troubles and transgressions. I bless God, who hath brought me to a sense of my sins; nay, I am so well satisfied, praised be his name, that, though I might have half the world's goods, I would not desire to live longer. I have had little comfort in this world: now and then a body is upon the water, by and by in a storm; even by land the journies are long and tedious. How soon doth sickness oppress us? no man is secure of this life. Though a man be above an enemy, yet there is no rest. Emperors and kings rise in the morning fresh and sound, but the least change of air throws them down, and they must wait for the help of God as well as beggars. Let us therefore say, with Jesus Syrach, Man, think of thy end, and thou wilt never sin; and, to do so, the Lord Jesus grant us his grace, for in this I have failed frequently.

XXI. Ye tradesmen and artificers, I will make but this simple remonstrance to you. Many of you complain, that you labour day and night, yet you can get nothing: it is not your labour altogether, but God's blessing that is to be regarded. For Christ saith, Thou shalt sanctify the Sabbath; and, on that day, go diligently to the house of God. Thou shalt not swear or curse, neither thou, nor



thy wife, nor children, nor family. You should not spend so much time as you do in taverns, for there you ordinarily stay till midnight. And ye bakers, brewers, and butchers, sell as you mean to answer it to God; for the magistrates are apt to connive at you upon the account of friendship, or some other relation, but this should not be. On Sunday morning, instead of your cups of brandy, you should take a prayer-book in your hands, and out of that instruct your children: Look into Psal. cxxii. I was glad, saith David, when they said unto me, let us go into the house of the Lord. Our feet shall stand within thy gates, O thou house of God! If any of you fall into poverty or sickness, you that are their neighbours set them up again; you need not fear that this brotherly love will make you Anabaptists. Cloath yourselves and children, according to your state and condition; give to the poor according to your ability, and that is your blessing; for, by this means, you will want nothing that is necessary here on earth.

XXII. And now, ye prisoners; how do you behave yourselves in prison? Keep close to the word of God, and you will receive peace and comfort: Do not you read, Isa. liii. 4. He hath surely born our griefs, and carried our sorrows: He was stricken, and smitten of God, and afflicted: See what he saith, Mark xiv. 34. My soul is exceeding sorrowful, even unto death. This, said Christ, at that time, when, for the sins of the whole world, he suffered himself to be imprisoned and bound. Was not that an exceeding great love, which Christ hath expressed to all mankind? Greater love he could not shew. And this he did, that we might think of him, when any of us are taken prisoners. Let such a one examine himself, for what reason he is imprisoned; if he find himself innocent, let him have patience, let him not curse; if he find himself guilty, let him pray diligently; if the crime be great and heinous, let him pray the oftener, and send up his sighs every moment to God, and he will turn all things to his advantage. Christ, our Lord, when he was taken prisoner (though we are not to be compared with him) said, Matth. xxvi. 42, Abba, Father, not what I will, but what thou wilt. Behold here his mighty love, wherewith he hath loved us, when we were yet his enemies! He suffered himself to be imprisoned; this is no small comfort for you when you lie in a prison; for which reason, consider seriously of it; but take heed you do not curse in prison; do not break forth into wrath and anger; be patient, confide in God, who will support you in all things, if you call upon him. Use no threatenings, that, in case you come off, you will remember the persons that have been the cause of your imprisonment. This makes your case but worse: commit revenge to God, for thou art not permitted to be thine own revenger: for he that judges shall be judged. The law of God and man condemns these things; he that sins much must repent much; this is God's order, who can truly say of himself, as it is in John xiv, I am the way, the truth, and the life. And, if he be the way, we cannot possibly err if we follow him; if he be the truth, we cannot pos-

ably be deceived by him; if he be the life, we cannot possibly come by any thing that is hurtful. If your flesh and blood be straitened in prison by the temptations of the devil; if the chains and shackles press hard upon you, remember the crown of thorns which our Redeemer bore, and without any guilt of his own. Matth. xi. 28, it is written, Come to me all ye who are weary and heavy laden, and I will refresh you; and let this be for your comfort. Nor is it enough that a man is laden with bonds and chains, for that is only a temporal punishment; you must, at the same time, take your hearts prisoners by the word of God. Sigh, therefore, with David, and say,

\* Look not upon my sins, O God,  
Make pure my heart, make clean my soul;  
A new gloss on my spirit set,  
And from thy presence chase me not.  
Thy holy spirit grant thou me,  
With peace and health refresh thou me,  
To please thee, make me willing, Lord! *Amen.*

Thus ought men to live in prison, upon which, by the grace of God, remission of sins must necessarily follow.

XXIII. I had almost forgotten the common soldiery, which I would not willingly do, for there is great philosophy to be found among them, *i. e.* There is nothing in the world, but you may find it among soldiers: You find learned and unlearned, good and bad, holy and profligate men; you find some who really aim at the Kingdom of God, and others who suffer themselves to be blinded by the devil, and live according to his will: nay, many strangers, which no man knows who they are; one fears God, another blasphemes him. In a word, you have among the soldiers pious and impious men; and, if a soldier leads a good life, it may be said to be stricter than a capuchin's; but such a one is a creature very despicable, yet more or less, according to the country he lives in. When an enemy knocks at your gates, ye great ones, and you can but get soldiers, you rejoice exceedingly; but, if God give you peace again, I am sure you have no command from him, that they, who have served you faithfully, should be cashiered and sent away without pay, and those, which stay behind, should scarce have bread enough to eat. I suppose they are creatures created of God, and redeemed as well as you; he, that wrongs them, wrongs God in heaven: here I must die for a man's fortune, with whom I never changed a word all my life; for a woman, which I never saw: nay, for a man that is dead, whom I never had a view of: And are not these three very great things? I leave it to every man's consideration. It would grieve a man, I confess, it is a little hard, yet be it as God pleases, I have intirely resigned myself to his will. And now I will tell you all that I have loved in the world: next to God and his holy precepts, I have loved my neigh-

\* This is part of a Spiritual Hymn used in the Lutheran Church.

hour till the late misfortune befel me: I have ever had a great fancy to travel, and from a child have had inclinations to be a soldier; which desire, as that of travelling, hath yet much decreased with time. A courtier's life I never much affected, because the court is generally crouded with a sort of politicians, which are no better than dissemblers. A learned and experienced man I always had a very great esteem for, whether he were rich or poor, for I have met with both sorts. Lastly, I have had a peculiar love for three things, yet have been most miserably cheated by them; yea, these three were instruments I made use of, that day I came into the late misfortune. I thought I had an excellent friend in the captain, but have been sadly deceived in him, and seduced by him; that is one thing. Secondly, I have been no hater of women, and here also I have been cheated. I have also had a great love for horses, and, when that late misfortune began, was upon the back of one.

Let every pious christian take a view of the world; let him love nothing that is in the world, but God alone. Let him do no wrong; nay, let him not permit another person to do that which he can hinder, especially where the poor and meaner sort are concerned; and he that is rich, let him look to it, that he may communicate to the poor heartily; and let him do the same to the sick, and to distressed families, and to strangers. The recompence God will give, who is so far from forgetting such works, that he will reward them a hundred-fold. Grieve no man who is already grieved, for it is sinful. Rejoice not over any man's misfortune, for, before a day be past, you may come to some sad accident. Take heed you do not speak ill of God; and take no false oath.

Yesterday I was at the last sermon which I am like to hear in this world; the preacher was an Englishman, and a doctor of divinity, his name Burnet; and I take God to witness, that in this sermon my sinful heart was opened, and received great comfort from it. The text was as follows: Christ Jesus came not to call the righteous, but sinners to repentance. O joy above all joy! O comfortable promise! O sweet recreation of my soul! Nay, nothing can be found, that tends more to a poor sinner's comfort, than this comfortable promise. If, therefore, Christ Jesus came into the world to save sinners, without doubt, he is come for my sake too. Therefore, O my sins, why do ye trouble me? Jesus Christ is here, who will take you away from me. Sing and rejoice, O my soul, with Jacob, Gen. xxxii. 10. I am less than the least of all thy mercies, and the truth thou hast shewn unto thy servant. With David we will say, 2 Sam. vii. 19. What am I, Lord, and what is my father's house, that thou hast brought me thus far? With the Virgin Mary, we will say, Luke i. 47. My soul magnifies the Lord, and my spirit hath rejoiced in the God of my salvation; for he hath done great things for me, and holy is his name.

And here, you great commanders, give me leave to present you with this humble supplication, that you would not take it ill, because this writing comes to you in a homely stile, yet it is penned

with a good intent, and that is enough : because I am neither divine, nor philosopher, but have, by profession, been a soldier. I have written things in very coarse language ; yet, I hope, no pious man will think ill of it. I have written nothing but what I have seen with mine own eyes ; I grant, you are not all such persons, as ~~ing~~ seems to make out, yet, must confess, that I have known abundance of such, but will not call them by their names. I am sorry I have seen so much, and have not eschewed that evil, which hath at last brought me to shame before the world.

XXIV. I shall, in the last place, briefly acquaint you with my course of life. About twenty-seven years ago, my father, of blessed memory, sent me out of Sweden to Germany, where, for two years together, I went to school. Two years after that, came the Muscovites, which obliged us to fly back to Sweden. About twenty-three years ago, I left Sweden, and went to Pomerania, where I served the Elector of Brandenburg a quarter of a year ; from thence I went through Poland, towards the German Emperor's dominions. From Bohemia, I travelled into the Netherlands, from thence into France ; from France again into the Netherlands with the army. After the peace, I went back to Bohemia, Austria, and Hungary, and after that again to the Netherlands, where I staid eight years ; from thence I went farther, to Holland, Denmark, Sweden, Poland, and then to Holstein, which was in the year 1681. During these thirteen years, I have been a papist twelve years, because I was commonly all that time in popish territories ; but in Holstein, in the year 1681, I turned again to the Lutheran religion, in which I was born, and baptised, and in that, God willing, I mean to die. I could no longer bear with the popish religion, because of their many saints and intercessors. There is no religion comes nearer to mine, than that of the protestants in England ; God grant they may live in peace with the calvinists to prevent quarrels, and in opposition to the papists.

Ah ! my dear Jesus, look upon me with the eyes of thy mercy, and chasten me not according to my desert. I firmly hope, thou wilt not dismiss my broken contrite heart without a blessing, the rather, because thou didst bespeak the poor thief upon the cross, with these comfortable words : This day shalt thou be with me in Paradise. O Jesu ! Let me also hear this word, and my soul will be safe. I will not cease praying to the very last, and to say, Lord Jesu, into thy hands I commend my spirit. These shall be my last words, and when I can speak no more, O Lord Jesu, thou wilt accept of my sighs, for I believe that thou camest into the world to save sinners, of whom I am chief. Now, Lord Jesu, strengthen me in all my sufferings. Thou sayest, come to me all ye who are weary and heavy laden, and I will refresh you. In this faith, at thy command, I am come, but altogether unworthy ; O Lord Jesu, heal thou me, for thou art the true physician of souls. Yea, Lord Jesu, I confess, that at present I feel great refreshment in my sinful heart. I am as an armed man, who goes against his enemy, and will not draw back one step, but fight courageously.

Now, Lord Jesu, thou hast armed me with a stedfast faith and confidence in thee. Grant me, Lord Jesu, that I may be thankful for this great mercy and goodness; let me wrestle boldly, and press through life and death. *Hallelujah.*

Let me say, Lord Jesu, with St. Paul, If God be for us, who can be against us? Nay, he hath not spared his own son, but hath given him for our sins. Who will accuse the elect of God? It is God that justifies, Who will condemn? It is Christ that died, who sits at the right-hand of God, and intercedes for us. Who shall separate us from the love of God? Shall trouble, shall anguish, shall persecution, shall hunger, shall nakedness, shall peril, or the sword? as it is written by David, Psalm xviii. 28. The Lord make my darkness light; and the blood of Jesus Christ wash me and purify me from all my sins. *Amen, Jesu, Amen, Amen.*

Whatever state or dignity a true christian is of, he must not make light of prayer, or think, I can pray to-morrow, and this business I must do to-day. Ah! Christian, let thy business be rather laid aside, except thy fellow-christian should be in the pangs of death, or thy house should be on fire, for these things may cause more than ordinary trouble. Neglect not the service of God, O my son, nor the festivals of the church; for I can tell, what will be the effect of that neglect. In a word, nothing should have so much of your care, as the exercise of prayer, and going to the house of God, where you must not sit idle, but work in the vineyard, that you may receive your penny, which the Lord of the vineyard will at last give. Consider this, for Christ's sake. *Amen, Amen. My sweet Jesu. Amen.*

XXV. And now I will let you know how I came to that late misfortune here in London. About the end of October last I came to London, and lodged in the city, near the Royal Exchange, in Broadstreet, in the Dutch Ordinary, at the sign of the City of Amsterdam. When I had been there about a month, a gentleman came to lodge there, who called himself Vallicks, but his name is Vrats: he and I began to be acquainted: at last he told me he had a request to me; to whom I replied, that, to the utmost of my power, he might command me. To this he said, that he had a quarrel with a gentleman, and desired me to be his second. I told him without any consideration, I would. A fortnight after, he told me, that it was good living thereabouts; and if I would take a lodging in that place, during the four weeks he should stay in London, he would pay for me. Hereupon he took four servants; sometimes he was for marrying, sometimes for fighting; and if he could get one, who would kill the gentleman, he said he would give him two-hundred, nay, three-hundred dollars. There it rested for a while. He dismissed two of his servants, and was going for France, or Holland. The two servants continued without places. Six days after, I took leave of my acquaintance; and after my things had been two days on shipboard, I went to the Lutheran church, where I received a letter from Captain Vrats. O unhappy letter! The contents were as follow:

AND,

I am sorry I could not have the honour to take my leave of you; but be it all to your advantage. I am going for France, yet have not as yet a certain commission. In the mean while, be pleased to continue, either at Mr. Block's, or the City of Amsterdam, where I will not fail to pay for all. I am, your obliged servant,

DE VRATS, *alias* DE VALLICKS.

After I had read this unhappy letter, I changed my resolution, and stayed here, and fetched my things from the ship, and went to lodge in Blackmore-street. About ten weeks after he returns to London, sends for me, and I came; and himself took a lodging in Westminster, where I was with him; and the count himself lay one night in the captain's and my lodging. The captain then asked me, how Thynn did? I told him I could not tell, for I had never seen him. Thereupon he told me, I must see now, how to order it, that I may come at him, if I could get but some stout fellows.—Do you know no Frenchmen about town, or what other people there is? I said, I would see. Then he added, could not one get an Italian, who might dispatch him, I would give him three or four hundred dollars? I said, I knew none. Hereupon he got four brace of pistols, three little ones, and one brace of great ones. The great ones, and one brace of little ones, he had by him before, and two long swords; and then said, now he is a dead man. He prayed me to cause two poniards to be made, whereof he gave me the draught, but I would not do it. And now he had a mind to draw in a great many more. At last I had a very strange ominous dream. He saw I was musing, and then asked me, what I ailed? I told him; and he laughed, saying, there was no heed to be given to dreams; yet the dream proved too true. Now, I saw, he was resolved to kill him; when, therefore, he importuned me to engage more men in the business, I told him, what can you do with so many people, cannot you take three horses, you will have use for no more? Hereupon he fetched out money, and on the Friday, before the murder was done, he bought three horses. On Sunday following, he told me, I shall get a brave fellow (that was the miserable Polonian) who came to town on Friday, and the Sunday after he killed the gentleman (according to order from his master, and you know who his master was) myself being, then, alas! in the company. Half an hour past four, the gentleman went by in his chariot before our window. Thereupon we went for the horses, and afterward rid toward the Pall-Mall, where we met the gentleman in his chariot. I rid before the coach, the captain went close by it, and then cried, *hold*, and shewed the Polonian the man in the coach; who thereupon gave fire, and shot four or five bullets into his body. They say he lived till next morning, and then died. On Monday following we were all taken prisoners, and now must die too; we have yet four days to live. The great God pardon us this sin, for Christ's sake. *Amen*. For I repent from the bottom of my heart, that in my old age, to which I was advanced with honour, I should come to this disaster: but it is done, and cannot

be remedied. It is written, the days of our years are few, and, when we come to our best age, it is then but labour and sorrow.

#### MEMORANDUM.

The letter the Captain shewed me one day, was to this purpose:  
 ' I have given Captain Vrats full commission to dispose of the places of captain, or lieutenant, to whomsoever he shall find capable of it.'

So far I read the letter; five lines lower stood these words, six hundred dollars, which was not the captain's hand, or writing, it was High-Dutch. I, seeing the letter, threw it down upon the table, but he put it up, and, underneath the letter, was signed Coningsmark. Thus much I saw, but made no farther reflections upon the letter, because, God knows, I was blinded.

Another memorandum I have forgot in the papers, which, after my death, are like to be published, viz. It hath been twice in my thoughts, when Captain Vrats was in Holland, to go and tell Mr. Thynn what the captain intended against him, but I still forgot.

I desire the doctor, in case any thing of the captain's writings should come abroad, to compare what he saith with my confessions, and to consider one with the other. Give unto Cæsar the things that are Cæsar's, and unto God the things that are God's. I hope I shall go with the publican into the temple of God; I am a great sinner, yet God's mercy is greater, wherein I trust; nor will Christ therefore refuse a soul, though the body is hanged up by the world. My lords, ye judges, I do wish you all happiness; I confess you have a weighty office. God give you his grace, that you may neither add to, nor diminish from a cause. You have seen how I have exposed all my failings, and that openly, to God, and to the whole world, because others may take warning by me, whom I leave behind me in the world. I beg of God, that people may consider this, my poor writing, the effect of the assistance of God's spirit, and the desire of a pious soul.

The captain desired me, that I would cause two daggers to be made, because at first it was resolved, we should fall upon Mr. Thynn on foot, and he would have had some Italian, or another, to thrust them into Mr. Thynn's body; yet I neither looked out for a man, fit for that purpose, nor would I cause those daggers to be made. The musketoon, or the gun, I fetched indeed, but it was out of a house, which the captain described to me. The holy passion of Jesus Christ preserve me; the innocent blood of our Lord strengthen me; the pure blood, that flowed from his side, wash me; the great pain of Jesus Christ heal me, and take away the deadly wounds of my soul.

O bountiful Jesu, hear me; hide me in thy holy wounds; from thy compassionate heart, let there flow into my wicked heart mercy, comfort, strength, and pardon of all my sins.

My Lord, and my God, if I have but thy most holy passion and death in my soul, neither heaven nor earth can hurt me. O Jesu!

I creep into thy gaping wounds, there I shall be secure, until the wrath of God be overpast. O Lord, let me always adhere to thee; keep off from me all the assaults of Satan, in the hour of my death. O my dearest Lord Jesu, who hast spoke comfortably to the penitent sinner on the cross, call to my dying heart, and speak comfort and consolation to it; assist me, that, in my last necessity, through thy help, I may happily overcome; and, when I can speak no more, accept of my sighs in mercy, and let me continue an heir of eternal happiness, for the sake of thy most holy blood, which thou hast shed for me. *Amen.* Lord Jesu Christ, my Lord and Saviour. *Amen. Amen.*

O Jesu, receive my poor soul into thy hands, then shall I die thy servant. My soul I commend to thee, and then I shall feel no pain nor sorrow. *Amen. Amen. Amen.*

These Ejaculations are Parts of such Spiritual Songs, as are usually sung in the Lutheran Churches.

## I.

My wants, and my necessities,  
Sweet Jesu, I intrust with thee;  
Let thy good-will protect me, Lord,  
And what's most wholesome grant thou me.

## II.

Christ is my life, death is my gain,  
If God be for me, I am safe.

## III.

My Lord, my God, O pity me,  
With free, with undeserved grace!  
O! think not on my grievous sins,  
And how I have defil'd my soul.  
When, in my youthful days, I err'd  
Against thee, Lord, thee have I sinn'd;  
Sinn'd then, and do sin every day:  
Thee I intreat, through Christ I mean,  
Who was incarnate for my sins.

## IV.

Consider not, Lord Jesus Christ,  
How heinous my transgressions are;  
Let not thy precious name, O Lord,  
Be lost on this unworthy wretch.  
Thou'rt call'd a Saviour, so thou art:  
With mercy, Lord, look on my soul,  
And make thy mercy sweet to me,  
Sweet, Lord, to all eternity.

## V.

Almighty Jesus, son of God,  
Who hast appeas'd thy Father's wrath,  
I hide myself within thy wounds;  
Thou, thou, my only comfort art,  
*Amen,* thou art, so let it be.



Give to my faith, give greater strength,  
 And take from me all doubts away;  
 What I have pray'd for, give me, Lord.  
 In thy great name my soul hath pray'd,  
 And now her joyful *Amen* sings.

Ask, and ye shall have.

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THE

CONFESSION OF GEORGE BORODZYCZ,

THE POLONIAN,

*Signed with his own Hand, in Prison, before his Execution.*

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I, GEORGE BORODZYCZ, do here, in few words, intend to make known to the world, how I came into the service of Count Coningsmark. About eighteen months ago, I was recommended, by letters, to the Quartermaster-General Kemp at Staden, and from thence I was to be sent to the count at Tangier; but, by reason of the hard winter, I was stopped, for the ship, in which I was to go, stuck in the ice in the River Elbe; this made me stay till farther orders. In March last I received a letter, which ordered me to go, and stay in a manor, belonging to the count, in the bishoprick of Bremen, and there expect new orders from the count. At last I received a letter, with orders to come by land for Holland; but, destitute of an opportunity, I staid till the twelfth of November, 1681, and then new orders came, that I should come for England to the count's brother, where I should fetch horses, and convey them to Strasburgh; and, accordingly, I left Hamburg the twenty-fourth of December, 1681, and was at sea till the fourth of February, 1682. When I came to London, I lay the first night in the city, hard by the Royal Exchange, at one Block's, and from thence I was conducted to the count's brother, and from thence to the count himself, who was to be my master. When I came to him, Captain Vrats being with him, my lord told me, I should be with Captain Vrats three days, till his, *i. e.* the count's, baggage and goods he had on shipboard, came. Whereupon the captain said, he would send his man for me the next day, which was Sunday, which he did accordingly. I went with his man, and my lord charged me, I should do what Captain Vrats should order me to do. I went thereupon to my chamber, and said the Lord's prayer. On Sunday, about one of the clock, came up the captain's man for me, and brought me to the captain. When I saw him, he told me, it

is well you are come, for I have a quarrel with an English gentleman; I did formerly send him two challenges, but he answered them not; whereupon Count Coningsmark, and myself, went for France; but that gentleman sent six fellows after us, who were to kill the count and me. Accordingly they came on us, the count received two wounds, we killed two of them, and I am now come hither to attack that gentleman, in the open streets, as a murderer; and, as he hath begun, so I will make an end of it. Whereupon he gave me the gun, which I should make use of to kill him. When hereupon I pleaded with Captain Vrats, and shewed myself unwilling, saying, that, if we were taken, we should come to a very ill end: he answered, I need not trouble myself about that, if we should be taken prisoners, it was he that must suffer for it, not I; and, for my service, he would recommend me to Count Coningsmark; whereupon I thought with myself, that it might be here, as it is in Poland, viz. Where a servant doth a thing, by his master's order, the master is to suffer for it, and not the servant.

We went, therefore, soon after, for our horses, and rid towards the Pall-Mall. The captain told me, I will stop the coach, and do you fire upon the gentleman; which was done accordingly. Lord have mercy upon me.

I am heartily sorry, that my honest parents must receive this unwelcome news of me; the Almighty God take care of my soul. I have great confidence in Almighty God, and know that he hath offered his son upon the cross for the sins of all mankind; therefore I believe, that satisfaction was also made for my sins; and in this faith, in the name of God, I will live and die. Lord Jesu, give me a happy end, for thy bitter death and passion sake. *Amen.*

What pity is it, that I should be, about the space of seven weeks, upon the sea, betwixt Hamburg and London, and in great danger, day and night; and yet should fall at last into this unexpected misfortune! I can bear witness, with a good conscience, that I knew nothing of the business aforehand. The great God pardon these men that have brought me to this fall; God keep every mother's child from all such disasters, for Christ's sake. *Amen.*

And I desire the doctor to pray for me, and to let all the world know my innocence after I am dead, that men may see and fear.

GEORGE BORODZYCZ.

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*For ROBIN CONSCIENCE, or CONSCIENCE ROBIN,*  
See VOL. I. p. 68.

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A SHORT ACCOUNT  
OF  
THE SIEGE OF BANTAM;  
AND ITS SURRENDER TO THE REBELS,  
Who were assisted by the Dutch, and their Fleet,  
IN THE EAST INDIES;

In a letter from an English Factor to a Merchant of London.  
London, printed for John Smith, 1683. Folio, containing two  
pages.

~~=====~~

SIR,

**G**REAT was our expectation upon the success of our late ambassador Kaia Nebbe's negotiation into England; of settling a commerce with that kingdom; which, as it is of all nations in most esteem with, so is it most earnestly desired by the Bantamites, who have a natural kindness for the English in these parts.

Whilst we were big with these joys, a sudden and unexpected storm happened, which blasted all our hopes in an instant, and unmercifully exposed us, not only to the fury of a domestick enemy, but the spoil and rapine of a foreign foe.

Sir, it would be but a needless trouble to tell you the true correspondence, and real friendship, that has been preserved between the English and the Bantamites: these allowing them a factory, and a place of residence for their consult within the walls of the town of Bantam, which is the capital city of Java, whereas all other foreigners, as the Bengallians, Cusarats, Malayans, Abyssians, Chinese, Portuguese, and Hollanders, are placed without the town; nay the very Indians themselves, who come from the borders of the country, have their places allotted them without the city, where they have their markets for their particular commodities, the grand bazar, or exchange, being in the east part of the town, wholly employed in the English factory, and for stowing up the commodities they trade in.

Since the last massacre of the Dutch in this nation, they have not dealt so freely amongst us, but keep within their own plantation at Batavia, which is some twelve leagues from Bantam.

The Portuguese, that deal at Bantam, live out of town in the same quarter with the Chinese. They drive here a great trade in pepper, nutmegs, cloves, mace, sandal-wood, cubebs, long pepper, and other commodities that are sent them from Malacca; for the greater part of them are factors, and commissioners of the Governor of Malacca, and the Archbishop of Goa.

The English, besides their liberty of residing within the town of Bantam, have free access through the whole country of Java Major, which is a vast and spacious isle; for from east to west, it stretches one hundred and fifty leagues, or of miles, four hundred and fifty, and from north to south, ninety leagues, which is two hundred and seventy miles, English.

The Dutch joined with the rebels, in this unnatural incursion, to invade our city with the more ease, we being so unprovided of ammunition, and all other conveniences to make any considerable resistance; in which they had found much more difficulty, and, it is probable, we might have held out as yet, had we received that recruit of arms and ammunition, as was every day expected by the ambassador from England, who is not yet come.

And this, sir, leads me to the tragical part of my letter, which must needs create pity in you, when you consider in what consternation this sudden change hath left us in, not able to call our lives or fortunes our own; nor can we yet tell, whether we are freemen, or slaves.

During the absence of our ambassador in England, a match was proposed by the King of Bantam, between his eldest son, Zerombia Zebbe, and the daughter of the King of Mitram.

This was a match well proposed, and had been fortunate for the English, had it taken its wished success, the King of Mitram being, as it were, Emperor of Java Major.

The young prince, going upon this expedition, fell in love by the way, with the King of Tuban's daughter, which, next to Bantam, is the chiefest town in Java.

The prince having forgot all other obligations, it was not long before the marriage was unhappily solemnised, though it was much inferior to what had been formerly proposed. The King of Tuban's territories being but small, and he himself a tributary to the King of Bantam: besides, the King of Tuban having four wives, six sons, and two daughters, besides natural children, and concubines innumerable, the princess, which was the former match proposed, being sole heiress to the emperor.

This so incensed the King of Bantam, that he excludes his son out of the kingdom, making his younger son, by a second wife, his heir.

The prince, no less incensed, on the other hand, marched with a small army of the Tubanites towards Batavia, desiring aid of the Dutch, who were forward enough to assist him, as well for the old grudge, that continued between them and the Bantamites, as to enlarge their dominions, upon any opportunity that presents.

There being a Dutch fleet at Batavia, they took shipping, and lay before Bantam on the twenty-third of November, playing with their great cannon upon the town; during which time the king made several proffers of accommodation, but nothing would be accepted.

At last, all our ammunition being spent, and our walls battered down, on the second of December they entered the town, seizing

upon the bazar, and all places of factory and store, killing and plundering all before them.

The king, with the chief officers of the city, keeps his army in the field; where, by daily recruits, which flock to him from all parts, he hopes yet, in some time, to recover his former losses.

The Hollanders have possessed themselves of the port, and the rebels of the city. We are every day threatened to be turned out, and a Dutch factory and consul established in our place. All the hopes, we have, are of the return of the ambassador, and the success of the king's army; of which we hope to give you a better account by the next.

## A BRIEF ACCOUNT

OF

### MANY MEMORABLE PASSAGES

OF THE

### LIFE AND DEATH OF THE EARL OF SHAFTSBURY,

Sometime Lord High Chancellor of England,

*Who departed this Life the twenty-first of December, 1683;*

Giving an impartial relation of his loyalty to his Majesty in the late times, and the great endeavours, he used, to bring in the King into England, unto his just rights, in peace and safety; with his Majesty's grateful acknowledgments of these his kindnesses to him, in preferring him to several eminent places of honour and trust; together with his great patience under the loss of the same. Also, his twice imprisonment in the Tower, and his witty answer to one of the popish lords upon his imprisonment; his release; and several plots and sham-plots of the papists, used to take away his life, for his vigilancy and care for the protestant religion, and their disappointments. Of his arrival in Holland, and his kind entertainment there. Together with his sickness, and worthy speeches a little before his death. Concluded with a prayer worthy of the perusal of all persons. Printed for J. CONYERS, in Duck-Lane. Quarto, containing eight pages.

IT is not my presumption, in this sheet, to write the life of this great statesman, but to give the reader a brief account of some remarkable passages in the same, for the satisfaction of the Reader sort, that cannot purchase large volumes.

Anthony, Earl of Shaftsbury, Baron Ashley of Wimborne, and Lord Cooper of Pamlet, was descended from the honourable and

## LIFE AND DEATH OF EARL OF SHAFTSBURY. 49

ancient family of the Coopers of Wimbourn St. Giles's, in the county of Dorset.

We shall, in the first place (laying aside all his other virtues) treat of the loyalty of this noble peer, in the words of the late author; ~~said he~~. Could we have taken a view of the inside of this noble peer, we might have seen his heart full of loyalty to his prince, love to his country, and zeal for the protestant religion; the settlement of which can only secure us from the attempts of his majesty's, and his people's enemies. With what admirable policy did he influence and manage the councils in the late times, in what he was concerned in, during the interregnum, towards his majesty's interest, and with what admirable subtlety did he turn the stream of their counsels; and with unwearied diligence did he tug at the helm of state, till he had brought in his great master, the king, into his kingdoms again, in prosperity and safety, to the joy of all good subjects?

His house was a sanctuary for distressed loyalists, and his correspondence with the king. Friends, though closely managed, as the necessity of those times required, are not unknown to those that were the principal managers of his majesty's affairs at that time. This made the late usurper, Oliver Cromwell, so jealous of him, ~~whose authority he withstood to the utmost of his power~~. And we find that Sir Anthony Ashley Cooper was accused before the Rump Parliament, in the year 1659, for keeping intelligence with the king, and having provided forces in Dorsetshire, to join with Sir George Booth, in attempting to bring in our noble king, that now is, to his rightful throne; and also his concurrence with General Monk, in that important juncture, if we remember that his majesty was one of the first that declared for a free parliament, and General Monk, in March 1659, so zealous was he in putting ~~all his might to turn the great wheel of state~~.

Asquith at the time of his majesty's restoration, as a most signal testimony of his majesty's good opinion of his former actions, he was advanced to be one of the first rank in his majesty's most honourable privy council, and was placed above his royal brother, the Duke of Gloucester; even General Monk himself, whom the king used to call his political father; and, three days after his majesty's coronation, he was created Baron Ashley of Wimbourn St. Giles's, and Lord Cooper of Paulet, and, at last, another mark of royal favour to him, in the year 1672, he was made Earl of Shaftsbury. For his wise administration in his majesty's affairs, he was made Chancellor of the Exchequer, and, some time after that, made Lord High Chancellor of England, about the beginning of the year 1672, which place he executed with the greatest judgment and equity imaginable.

Thus having briefly traced this great minister of state, in these ~~might be said to be~~ his great and good master, the king, I shall enter sometimes of his relinquishment of that high employment, and ~~of his resignation of that office~~.

About November 1673, his majesty was pleased to send for the Third Chancellor of the Exchequer, where he resigned the Great Seal of England to his majesty, and was dismissed from being treasurer of

the Exchequer. In the afternoon of the same day, the Earl of Shaftsbury was visited by Prince Rupert, with other great lords, at Exeter House, where they gave his lordship thanks for his faithful and honourable discharge of that great employment. Thus this great minister of state, to the universal satisfaction of all good men, being raised to that high degree of interest in his master's favour, without a murmur, laid all his honour at his majesty's feet, and was observed not to abate of the cheerfulness of his temper, upon the loss of all these temporal and honourable employments. I shall conclude this part of his life, with a character that a late author gave of him:

————— ' His choice sagacity  
 ' Straight solv'd the knot that subtle lawyers ty'd,  
 ' And, through all fogs, discern'd the oppressed side;  
 ' Banish'd delays, and so this noble peer  
 ' Became a star of honour in our sphere;  
 ' A needful Atlas of our state.'

On the sixteenth of February, 1676, this earl was sent prisoner to the tower, by the order of the House of Lords; there were, at the same time, committed several other lords, for maintaining, That the then parliament was dissolved, and ought not to sit any longer; where he continued prisoner about a year's time, and, after submitting himself to his majesty and the parliament, he was discharged, by acknowledging his fault. A little after his releasement, this parliament was prorogued, and after dissolved. Now was the wicked plot of the Jesuits and Papists discovered by the great fidelity of Dr. Oates, which convinced both king, lords, and commons, and all the nation in general, of a damnable, treasonable, popish design, to murder our king, with the rest of the nobility and gentry, and to reduce the Protestant church to Romish idolatry, and the state to a Catholick slavery.

On the seventh of March, 1678, another parliament met at Westminster. This parliament did, like noble patriots, endeavour to give a check to the bloody popish designs a foot, and passed many excellent votes for that purpose; many members acquitted themselves, in their speeches, like men of high sense of the miseries the nation was like to be involved in. This house carried up their impeachments to the House of Lords, against the Lord Powis, Stafford, Arundel, Lord Peters, Lord Bellasis, for high-treason, and other high crimes: but I shall forbear mentioning any farther, only instance how this noble peer was struck at in that hellish design. I shall refer the reader to what hath been already published in print, only note two or three things of some persons, that made attempts on the life of this noble peer; first, by Dangerfield, who had a great sum offered him, to have murdered the Earl of Shaftsbury, on whom the rage of the bloody Romish party was now so great, that they left no base and unwarrantable action unattempted, to rob him of his life; some were hired to stab or pistol him; others to swear treason against him, or any other way the devil put in their heads. Another design against

this noble peer, was to have been acted by a woman, called Madam Cellier, a popish midwife; who attempted that cursed design, under the pretence of a visit to the earl, and under pretence of her paying her thanks for favours received through his means; but she had a consecrated dagger under the skirt of her gown, ready to have expressed her gratitude, by opening the veins of this protestant peer's heart.

Is then loyal innocency, and protestant integrity, armour of proof against poisons, pistols, and poniards? No; the Catholick gallantry stops not here, but pursues this noble peer with forgery of his hand, and other little sham-plots. What base and villainous acts the bloody papists used, to destroy the Earl of Shaftsbury, by many endeavours to have stabbed him, as hath been deposed by many persons, to whom the parliament, as well as the nation, have given belief? I shall instance one more of their mischievous practices in this kind. There was a gentleman, who was a commander of a regiment of horse in the late king's army, and lost all for his sake, and his present majesty's, writ to this noble peer about a remedy against the gout, which he used to be afflicted with very much. This letter was intercepted, and (the person then living in the French king's dominions) after adding to it an account, That the writer was able to furnish the earl with forty thousand soldiers from France, to oppose the Duke of York's interest; it was then conveyed to some of the French king's ministers, who, they suppose, would send a copy hither; but, by a strange providence, the original was returned into the gentleman's own hands.

Nor were they yet wanting in throwing dirt, and slandering this noble peer in his reputation, which faculty they are famous at; for now a packet of base libels and treasonable reflections were, by the penny-post, sent to a printer, and copies of the same dispersed about the parts of Westminster. All of venomous and malicious slanders and imputations, tending to the taking away the life of the Earl of Shaftsbury, and divers other peers of honourable account; but the printer, detesting such a design, published an invitation to any person that would discover the author or publisher of that infamous libel. And now we are got into such a bog of plots, sham-plots, perjurers, subornations, as the histories of no age can parallel. In October, during the sessions of the last parliament, it is remarkable, that Francisco de Faria, interpreter to the Portuguese ambassador, amongst other matters relating to the plot, gave information to the bar of the House, that he was tempted to kill the Earl of Shaftsbury, by throwing a hand-grenade into his coach, as he passed the road into the country. But, to sum up all, several methods, that were invented to be executed against the life of this peer, were innumerable, by these jesuited crew, who set all their inventions and engines on work, to make away the Earl of Shaftsbury. He was the beam in their eye, and the clog that hindered the motion of their cursed designs. What have they not attempted to make him distasteful to the king, through the foulness of their treasons on him? As was made appear before the king and council in October 1681, that Fitzgerald told Mr. Haines, that he the said Fitzgerald possessed



his majesty, and had given it under his hand and seal, that the late plot was a presbyterian plot, and invented by the Earl of Shaftsbury, on purpose to extirpate the royal family, and to dethrone his present majesty, and turn England into a commonwealth, or else to set the crown upon the earl's own head, with more such wicked and treasonable matter; a further account you may have in his trial.

But a new parliament was summoned to appear at Oxford, where things of as high nature were agitated, as ever came before the consideration of a parliament, no less than the preservation of the king's majesty's person, the protestant religion, and the good of the people of England; all which now was invaded by the bloody designs of the papists, but, being very hot about the business of Fitzharris, and things of the like nature, it pleased his majesty to dissolve them.

Some time after Fitzharris was tried and executed, the Earl of Shaftsbury was again committed to the tower of London; the circumstances of his examination, and acquittal, would take too much room here to be recited. To finish this tragical story, only I cannot omit, that, on the fifteenth of August, 1681, Mrs. Fitzharris gave a deposition on oath, that her husband, a little before his execution, not only told her, what great offers he had made him, if he would have charged that treasonable and infamous libel (which he was executed afterwards for) on this noble peer and the Lord Howard; and that he advised her to do it to save his life; though he protested at the same time, that they were wholly innocent. She likewise deposed, that a certain gentleman assured her, that she should have what money she pleased, if she would accuse the earl and the Lord Howard, as the authors of the said libel. But they having tampered with so many, on account of this baffled design, that it was impossible but their consult must take wind, especially when we consider, they were a people, that, either to supply their necessities, or to feed their ambition, or, more probably, through irresistible fatality, had blabbed and discovered the secrets of holy mother, and had spoke so unseasonably in her tip, that they had spoiled her game. What security could these Romish sophisters have, but that their corked vessel would prove leaky again? I shall give one memorable passage, said to have passed between the Earl and one of the popish lords, soon after his commitment. The story is this: meeting, accidentally, with one of the popish lords, he was asked by him, What his lordship did there, and that he little thought to have his good company? To which the Earl of Shaftsbury replied, That he had lately been sick of an ague, and was come there to take some Jesuit's powder. It was said, during the whole time of his lordship being in the tower, he remained very chearful, beyond what could have been expected from a person labouring under such extreme pains and diseases. During the earl's imprisonment, many made it their business to detract and vilify him; and it was their mode to drink his health at an hempen-string, and call him Tony Tapskin, and King of Poland. After the earl's trial, it is reported he arrested one Baines, one of the witnesses for a conspiracy, also several others; but, being not suffered to have his trial against them in London and

Middlesex, he remitted the same till another opportunity. Thus have we given a brief account of the most remarkable things relating to this great peer, to this time; after which he lived very private at his house in Aldersgate-street, till the beginning of the month of November, when, it is reported, he left England, and landed at Brill in Holland, where he was nobly entertained by the States, and, as some say, hath put into their stock a considerable sum of money.

But, amongst the rest, let us take cognisance of his deportment, in the time of his seeming affliction. He was little or nothing dismayed at the contrary current, which opposed the stream of his aspiring mind, which was a generous and magnanimous spirit in him; for, indeed, he was as much befriended by unexpected favours abroad, as afflicted by domestick troubles in his own native soil. His reception in Holland was, unquestionably, very kind, as doubtless was appertinent to a person of his parts. It is not to be doubted, but the many transactions happening in his time, had recorded him there, as well as in other countries, for a politician, and so was he received by them. His deportment there was such, that he obliged all that came near him, indulged all that knew him, and, at his death, left no man without an obligation of a *memento*. It was much to be taken notice of, that, during the time of his illness, he rather seemed to be of better composure in mind, than ordinary, as seeming to embrace his malady with a kind of welcome, that might transmute his soul into that endless happiness, which he had been so long labouring for. He seemed to covet after that continual blessing, which alone makes happy, and rejoiced at his approaching change. O happy is that man, who, like an undaunted champion, can boldly look upon the pale messenger of grim death without terror, when no astonishment comes to amaze the drooping senses; but, on the contrary, if filled with comfort, at the perfect assurance of a better state, by the help and assistance of a blessed change; no peace like a quiet mind, no comfort like the peace of conscience, nor no conquest like the victory over sin. Thrice happy is that man, whom the thoughts of death cannot terrify. Then let us all labour so to live here, that we may assure ourselves of an inheritance hereafter, that shall furnish our souls with joys everlasting, that have no end. But when he perceived, that his fatal hour was most certainly approaching, with a most heavenly frame, he prepared himself to meet with that unwelcome messenger, taking great and particular care of his menial servants, that will imprint a memorial in their now bleeding hearts. So having settled affairs in his house, according to his own mind and will, he recommended his soul to him that gave it, in the following words and manner:

‘ O most gracious and merciful Lord God, who, out of thy infinite mercy and goodness, hast preserved and protected me through an ocean of trouble and perplexity, yea, and brought me out of a labyrinth of danger, which, without thine assistance, I could never have waded through; and now, since by thy mercy I am made sensible of thy unspeakable love to me in this my last hour, I beseech thee, with an unfeigned desire to have mercy upon my

' immortal soul, and let thine angel conduct it to the throne of thine  
' everlasting happiness. Lord preserve and keep my sovereign liege,  
' Charles the second, king of the land of my nativity, and protect that  
' poor nation, now in a tottering condition, from the yoke and burthen  
' of popish tyranny, that the gospel may flourish in the dominions  
' thereof. Lord strengthen me in this hour of tribulation, that I  
' may cheerfully pass through the dark passage, which leads to thy  
' never fading light. Amen.

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THE  
LOYAL OBSERVATOR;

OR,

*HISTORICAL MEMOIRS OF THE LIFE AND ACTIONS*

OF

ROGER THE FIDLER;

ALIAS, THE OBSERVATOR\*.

London, printed for W. Hammond, 1683. Quarto, containing  
twelve pages.

*Ralph.*

**H**ERE's a clutter with Observators three or four times a week ! and an everlasting din about whigs and trimmers, and the devil and all of business ! Prithoe, *Nobbs*, let thee and I set up an Observer ; 'tis a pretty trade, and, next to that of an informer, one of the most thriving in these dull times. There's an old fellow in Holborn gets, they say, forty shillings a paper certain pension, besides by-jobs of two or three hundred guineas at a lump ; and yet frets, and foams, and raves, because he is no better rewarded.

*Nobbs*. When all the swarming intelligencers were silenced, and Thompson mazzled, and Care run away, and Curtis and Jane, *vay*, poor enails ! had pulled in their horses, and were crept into their original shells, I was in hopes the nation should no more have been pestered with this make-bait trumpery. But, since the incorrigible squire scribbles on as eagerly as ever, I see no reason why we may not put in for a snack ; for a pamphlet is a pamphlet, whether it be writ by Roger the fidler, or Ralph the corn-cutter.

*Ralph*. But I bar all discourse of religion or government, and reflections on particular persons.

\* Alias Sir Roger L' Etrange.

*Nobbs.* Prithee hast thou got a new invention to make butter without cream? Or the apothecaries trick, to give us Oxycrociun, and not a dram of saffron in it? alas man! it is the very essence of an Observator to be full of mysteries of state, and its privilege to fall foul on any body. How many hundreds have been libelled that way? nay, persons of highest honour and office have scarce escaped him of late. Suppose I have a mind to a good warm place of credit and profit (and for such dainties old men may long, as well as young women) what have I to do, but print an Observator, upbraid the government with my services and disappointments, acquaint the world what preferments I would be at, and put my superiors roundly in mind of it; as much as to say, 'Sirs! you are ungrateful, and neither understand your own interest, nor my merits.' Then suppose I receive a rub from some persons of quality that do not think me worthy; straight I at them with another Observator, and expose them as trimmers and betrayers of the government; and so revenge myself, that no-body for the future shall dare oppose my pretensions.

*Ralph.* A clever course! but, methinks, somewhat saucy; and he that practises it, deserves no other advancement, but to the pillory, or whipping-post. However, since there is an old proverb, — 'That one may better steal a steed, than another peep over the hedge;' I know not whether every Observator may be allowed the like prerogative; therefore still I say, I will not meddle with edge-tools.

*Nobbs.* What then, shall we talk of nothing at all?

*Ralph.* No, but of something next to nothing, that is, the Observator himself. I go sometimes to Sam's, where people cry him up as the Atlas of the church, the Argus of the state, the very buckle and thong of loyalty; and you see how he vapours of his forty years service to the crown; therefore I would gladly be informed what mighty exploits he performed during the old rebellion, what commands he had, how many thousand pounds he expended, what scars of honour he received.

*Nobbs.* You must note, The gentleman was a younger brother (the scandal of a worthy family, who have long been ashamed of him) and so far from being able to contribute to the royal cause, that, during his youth, Phil. Porter's plough was his best maintenance; and it is observed, that he lived more splendidly under the Usurper, than ever before, or since. Whence some have thought, that the same wind, which hurried old Noll to old Nick, might also puff away this gallant's coach and horses; for, though he kept such an equipage before, they were never afterwards visible.

*Ralph.* This is nothing to his personal gallantry; perhaps he rescued the standard at Edge-hill: stormed towns, as mountebanks draw teeth, with a touch; or routed whole armies of the rebels, like Almanzor.

*Nobbs.* No, no; valour is none of his talent; he has more wit, than to hazard his precious person with any gun, but Joan's; wisely considering, that, if a man happen to be spitted through the lungs,

or have his brains dulled with a lump of lead, it would go near to spoil his writing of Observators for ever; and then, what would become of the government? He marches, indeed, equipped with a sword, but it is only for ornament, for he has not so much courage as a guinney-pig; a boy of fourteen may at any time disarm him with a bean-stalk. Did you never hear how captain C. of Richmond Ob-servatored him? Or how the life-guard-man wrought a miracle, and, for a moment, made him honest?

*Ralph.* Of the first I have had some inkling. He had libelled some of the captain's relations, who thereupon gave him the discipline of the battoon, and made him dance without his fiddle, which he received as became a philosopher; and it is the best argument he has to prove him a christian, because *Preces et Lachrymæ* were all his defence.—But, for the adventure of the life-guard-man, I am in the dark.

*Nobbs.* The business was thus:—About the year 1677, one Cole, having a sheet against popery, called, A Rod for Rome (or some such-like title) bearing hard upon the Jesuits, sent it up for a pass-port. Mr. Observer refused it, as he generally did things of that nature, yet could give no reason; for he was not so ungenteel, as to boast the kindnesses he did the Romans. Thus it lay by till after the discovery of the plot, when the old man sent it again by Mrs. Purslow, a printer, who, having made forty jaunts in vain, at last sent her maid for his positive answer; but, she not being so much in his favour, as the lass once in Duck-lane, to whom he never denied any thing, he returned it, swearing most bloodily, that he would not allow it. As the wench came forth, whom should she meet with, but a gentleman of the guard, her acquaintance; who, understanding what she had been about, read the copy, goes back with her, and, as soon as he came into the room, displaying the paper by one corner, as an ensign of war, begins:—‘D—me, do you deny such an honest thing against the Papists?’ ha! The Observer was just ready to Atkinise his breeches; and with a thousand French cringes and grimaces, cries:—‘Good sir! noble sir! as I am a gentleman, I never refused it; only the maid importuned me, when I was busy;’—and presently bescrawled the paper with his licentious fist. The wench was fumbling for the half-crown, but her friend plucked her away abruptly; and our Observer was glad he was so well rid of him, though with the loss of his fee.

*Ralph.* But still, where are the instances of his achievements for Charles the Martyr? He boasts, in many of his pamphlets, how near he was to the honour of the gallows: What was he to be hanged, like Mum-chance, for doing nothing?

*Nobbs.* No, but for doing nothing to the purpose. Did you never see a little hocus, by sleight of hand, popping a piece several times, first out of one pocket, and then out of another, persuade folks he was damnable full of money, when one poor sice was all his stock; just so the Iliads of our Observer's loyalty, when examined, dwindle into one single, sorry, ill-managed intrigue at Lynn; which was nakedly thus;

About November 44, the town of Lynn being in the rebels hands, the gentleman you wot on, pretending abundance of interest there, when indeed he had none at all, procured a commission from his majesty to reduce it, graciously promising him the government of the town, if he could effect it, and payment of all rewards, he should promise, not exceeding five thousand pounds, &c. The hair-brained undertaker could think of no other way to reduce it, but by sending for one captain Leamon of Lynn (one that had taken the covenant, and a known zealot for the rebels cause) to a papist's house two or three miles off, and very discreetly blunders out the business; shews him his commission; promises him one thousand pounds, and other preferments, if he would betray the town, adding, that the king did value the surprising of that town at half his crown. A very likely tale! Leamon, perceiving what a weak tool he had to deal with, seems to comply; but the same night acquaints the governor, Colonel Walton, and, according to promise, meets our skulking town-taker next day, but carried with him a corporal in a seaman's habit; to whom he also very frankly shewed his commission. In the mean time, Lieutenant Stubbing, and five soldiers habited like seamen, came from Lynn to the house, and then the disguised corporal seizes our gallant undertaker, who tamely surrenders both his person and commission; and so, being brought to London, it being proved at a court martial at Guildhall, and by himself confessed, that he came into the parliament's quarters, not in an hostile manner, as a soldier, but without drum, trumpet, or pass, as a spy, and had tampered with their officers to betray the garison, he was, for the same, sentenced to be hanged, December 28, 44, and, passing from the court through the croud, uttered these heroick words:—'I desire all people would take warning by me, that there may be no more blood shed in this kind.' However, by appealing to the lords, he shuffled off present execution, and, having lain some time in Newgate, obtained his liberty; but upon what valuable considerations must remain a riddle, unless his after-familiarity with Cromwell, and the unaccountable port, that he afterwards lived in, during those times, help to explain it.

*Ralph.* The total of the account, then, stands thus:—1. That the gentleman abused the good king with a false story: it seems, he thought it as easy a matter to surprise a town, as to over-run the printer's wife; but was shamefully defeated in both. 2. He managed the affair like a rash coxcomb, and was out-witted by a dull heavy roundhead. 3. Had it succeeded, though acknowledged justifiable (such practices being often used in wars, much more in the case of rebels, where the seeming treachery is but duty) yet there is little of glory to be derived from such a pitiful tampering employ; only, it seems, he was not judged capable of any more brave and honourable, and therefore must make the most of this. 4. When he was in danger of the noose, he repented even of this his loyal undertaking, and sneaked most pitifully, and at last got off suspiciously.—So much for his old services; now let us hear of his exploits since the restoration.

*Nobbs.*—No sooner was that blissful change, but our *Observer* first endeavoured to set the old cavaliers at variance, and wrote against that faithful servant to the crown, the learned and loyal Mr. James Howell, and, as far as he durst, snarled at the court and chief ministers, for not preferring himself, forsooth, as well as others. And, to be taken notice of, in defiance to the act of indemnity, and of his majesty's most excellent declaration touching ecclesiastick affairs (a sovereign balm that was like to heal all our wounds, and mortify for ever the designs of Rome) he began to rip up old sores, and blow the coals of division among Protestants, under pretence of exposing the Presbyterians. Yet still the devil of self-interest jogged his elbow: for the man is known, who, being newly come from Lambeth, and having received only thanks and benedictions instead of money, swore—'damme! let the b——s henceforwards write for themselves.' After this, despairing of higher place, he aims at the supervial of the press (for which his scribbling humour had some, what adapted him) then gives the government perpetual (false) alarms on that side; but, having once gained the point, soon learned the faculty to wink, as often as his spectacles were enchanted with the dust of Peru. How that affair was managed, let the booksellers guineas near Mercers-chapel, the books seized, afterwards privately sold from Cambray-house, to be published, &c. be instances; but especially the known story of the printer's wife (beforementioned) in Bartholomew Close, to whom he prostituted the interest of church and state, offering to conspire at her husband's printing treason, sedition, heresy, schism, or any thing, if she would but gratify his brutish lust.

*Ralph.* But still he was tight to the church of England.

*Nobbs.* Of his zeal therein, there are these undeniable testimonies.

1. His having been forty times at mass by his own confession in print.
2. His not receiving the sacrament, or so much as coming to his parish church for twelve long years and upwards.
3. His approving books destructive of all Christianity, as one intitled, *Anima Mundi*, burnt afterwards, with his hand to it, by order, if I mistake not, of the Reverend Bishop of London. Another called—*a Treatise of Human Reason*, that deserved the same fate, as making every man's private fancy judge of religion, the grand scandal which Papists have these hundred years falsely cast on Protestantism.
4. By connivance at popish pamphlets all the time of his dictatorship; not one having been during those many years honestly prosecuted by him, though it is computed above one hundred thousand of them were in that space dispersed, to poison his majesty's Protestant subjects. Nay, on the contrary, as often as that active loyal gentleman, Mr. M. of the company of Stationers, or any other of the masters or wardens, or Mr. Stephens, messenger of the press, had discovered any of the Papists pamphlet-magazines, this *Obser-*

water, either by secret intelligence prevented the seizure, or afterwards shuffled off both book and prosecution, pretending the same appertained to his immediate care, and so no more was heard of it.

*Ralph.* But all the loyal world commends his Observators as witty, and highly serviceable to the government.

*Nobbs.* As to the wit (no great praise in a blade of threescore and twelve). It is the observation of judicious Raleigh, *Nihil est sapientie odiosius acumine nimio*: 'Nothing is more an enemy to wisdom, than drollery and over-sharpness of conceit.' Hot-headed youths, unthinking shallow people, are easily taken, as larks are by low-bells, with a gingle of words; and, perhaps, some she-politicians may admire him: but the graver and more considerate loyalists judge no papers have really been more prejudicial to his majesty's interest. His design therein is evident; the act, that formerly gave him bread, being expired, something must be done for a livelihood; his acquaintance, his interest, lay on the red-lettered side, who quickly engage him to ridicule that plot which his majesty and four several parliaments, after strictest inquisition, had declared horrid and damnable: hence started up the brass screws, the Salamanca certificate, and twenty other crotchets, which neither secretary's Castlemain, nor Sing, nor any of their St. Omer's pupils, had the luck to think of, and yet altogether as empty, incoherent, and nonsensical as their oaths and allegations. But his feeders, still not thinking this enough, have, of late, put him upon another jobb; to expose not only fanaticks and whigs, but all sober churchmen and moderate loyal Protestant subjects, under the foolish, but odious, name of Trimmers.

*Ralph.*—But still he avows he writes for the government.

*Nobbs.* Nothing more false; he writes only for his belly: it is the crust, not the cause, he leaps at. As long as he scribbles with such provocations, it is impossible to stop the other pamphleteers: nay, he has done the faction the greatest service of any man living, being the general publisher of their clandestine pamphlets, and sets people a-going to inquire after, and buy them. That lewd, impudent, and traitorous libel, 'The second part of the growth of popery and arbitrary government,' scarce saw the light, before he proclaimed and repeated it; and, if Hunt's saucy book have sold ten thousand, he is beholden, at least, for the putting off eight thousand of them, to the *Observer*. Some affirm, that for this (secret) service, he has a pension from the whigs, equal to his presents from the Tories: but it is certain, when any body prints an obnoxious pamphlet, they first send it to him by the penny-post, to save ten shillings charge of putting it in the gazette.

*Ralph.*—I could not before guess at the reason why he has of late expressed so much malice against the honest messenger of the press, that, according to his duty, faithfully and impartially discharged his office towards suppressing all pamphlets, both fanatical and popish. But, if this gentleman gets friends by the one, and



money by the other, it is no wonder, if he have a spight at every body that would dam up both his mills at once.—But it grows late, and I am to meet a friend at Sam's, so farewel till I see you next.

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AN  
 IMPARTIAL AND BRIEF DESCRIPTION  
 OF  
*THE PLAZA,*

Or sumptuous Market Place of Madrid,

AND  
 THE BULL-BAITING THERE;

Together with the History of the famous and much admired Placidus; as also a large scheme, being the lively representation of the Order and Ornament of this Solemnity. By James Salgado, a Spaniard. London, printed by Francis Clark, for the Author, Anno Domini 1683. Quarto, containing forty-six pages.

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*To the most Serene and Mighty Charles the Second, by the Grace of God, of Great Britain, France, and Ireland, King, Defender of the Faith, &c.*

*May it please your most Excellent Majesty,*

**Y**OUR royal name was prefixed to this other manual of mine the last year, but I had not the confidence to present your sacred majesty with the same. It was not that I judged the subject-matter altogether despicable and unworthy of acceptance, but because my timorous and bashful disposition induced me to believe, that it was every way sufficient to be honoured with the name of such an inestimable and noble patron; but yet, for all that, my pinching want has now at length prevailed with me to shake off these thoughts, in regard that so great an honour, attended with something else (your majesty conceives my meaning) would, beyond all peradventure, contribute the more to my present straitened condition. Wherefore I prostrate myself and labours at your royal feet, looking upon it as my greatest happiness, if your majesty may be pleased to spend some few minutes, for a recreation, in the perusal of this short description of the bull-baiting at Madrid; but, if good fortune deny me this honour, I must patiently share in the lot of my countrymen

who now-a-days are generally unfortunate. However, your majesty's long life, prosperous reign, and eternal happiness shall, in all circumstances, be the most earnest prayer of

Your Majesty's most devoted Supplicant,  
JAMES SALGADO, a Spaniard.

*To the Reader.*

READER,

I have taken a view of Spain, France, Italy, and the United Netherlands, but, I must confess, I did never see (except here in England) such a crowd of authors, printers, book-binders, stationers, gazettes, observators, packets, mercuries, intelligences, and bills of surgeons, calling themselves doctors, forsooth, whereas, in very deed, they ought to be stiled mountebanks: in a word, I do not remember to have seen a people so much busied with, and fond of novelties. While, therefore, I stood amazed, behold, pinching Want and simple Bashfulness (by way of dialogue) made their-address unto me; the former, in these following words: 'I see you are a stranger, and ought to be encouraged by, and sheltered under the protection of the generous English nation: for that cause, I judge it your near concernment to come with a full hand, if you look for any gracious acceptance.' On the other side, Shame replied: 'Mr. Salgado, believe my undissembled simplicity, the English are most ingenuous, and of a pregnant wit; what then can you expect, by publishing any thing, but scorn and contempt? For many will be apt to say, what meaneth this ugly, pale Spaniard, who, with his whimsies and trifles, busies our printers, and creates us much trouble? What?' answered Necessity: 'hunger constrains him to take such a course; for Mr. Salgado, I am confident, by all laudable means endeavoureth to eschew hard straits, not hunting after airy praise and a great name:' which the one saying stopped the mouth of blushing Shame.

Thus, being past shame, I do set this treatise on the pillory, i. e. I stick not to expose it to the censures of carping criticks. But, methinks, I hear a great many entertaining a discourse to this purpose: 'It is not worth our while to take strict notice of a poor distressed man past shame, seeing necessity has no law.'

Wherefore, most noble, puissant, ancient, and generous English, or rather angelical nation (for you are my tutelar angels, in regard that, these five years, and above, I have enjoyed life and sanctuary by your protection and benign generosity) I present you with this solemnity of the bulls at Madrid, my native soil. If any thing therein be amiss, I claim an interest in the clemency of your promise; but, if otherwise, look upon it as a testimony of my undissembled gratitude. Farewel.

SIR,

I am certified by your letter, that a commendable curiosity has induced you to travel through France, Italy, and Germany; adding further, that, had you not been persuaded to the contrary by a cer-

tain person (one, who, I am apt to believe, has no good-will to my country) the pleasures and rarities of Spain had not escaped your impartial and diligent consideration. Assure yourself, none could be more concerned to enjoy your fellowship there, nor readier to do you good offices, than I, upon consideration of the manifold and signal obligations laid upon me by a person of your worth. But, seeing it is to no purpose to repent what is past, I shall forbear to enlarge on this subject: yet, because you seem to be not a little dissatisfied that you had not the good fortune of seeing Spain, and more especially the Escorial, and the yearly festival of Madrid, I shall endeavour, according to my bounden duty, to satisfy your curiosity in this point; insomuch that, from your closet, you may receive a full view of the Spanish court, and its magnificence, as also the goodly and large fields of Madrid, without expending much, or exposing your person to danger, after the manner of most travellers who repair thither; and, for your greater clearness in the matter, I send you this large scheme.

In describing the matter in hand, my stile shall be plain, and the relation impartial; in regard that I bear no liking to dissimulosity, or the forging of romantick novelties and fictions.

As for the Escorial, we shall have a fairer opportunity to treat on it at another occasion: this, in the general, you may know, that (according to the unanimous consent of all who have travelled thither) it is a thing very well worth the while. Our present discourse then shall be wholly confined to the bull-baiting (as it is called) at Madrid.

It has been the fate of Spain, as that of other puissant nations, not to have escaped scot-free of the frequent and noisome inroads of many cruel adversaries of different languages, laws, and constitutions; so that some vestigia of the one must be supposed to remain, as well as the other. Those who did bear chief sway there, were the Romans, Vandals, Goths, and Saracens; insomuch that the Spanish tongue appears to be an aggregate of the Latin, German, and Arabick. The Saracens obtaining the latest conquest, their laws and language leave the deeper impression. Among other their constitutions, this festival, which we are about to describe, was one.

You may easily object, that it is a cruel and barbarous recreation; which I am ready to grant, and so much the rather, in that its original is derived from such a barbarous rabble as the Turks were, and are to this day. Nevertheless, an uncontroled custom, of long continuance, has given it the force and validity of a law, and the most honourable designation of a royal festival, which, if any person, of what quality soever, once endeavoured to rectify, he should inevitably incur the risque of reproach and shame, if not a more sad fate. It being therefore altogether extrinsick to any purpose and concernment, as a private man, to determine any thing against the lawfulness and unlawfulness of this solemnity, I shall content myself, by making a clear discovery thereof, for your greater satisfaction.

Lincoln's-Inn-Fields are neither so large, nor spacious, as this place of public resort at Madrid, which is exactly square, being surrounded with houses, uniform all along in their dimensions, erected to the altitude of five pair of stairs, with a great many most curious windows, and balconies overlaid with the purest gold. Moreover, the square is level, to the end that the foaming bulls, and prancing horses, may run their courses with the greater easiness and celerity. From the ground to the first pair of stairs, are reared up theatres made of timber for the people. The thirty balconies, set a-part for the king and court, are sumptuously furnished with the richest tapestry, and choicest velvet, that money or art can purchase. Here, it is observable, that all noblemen, whose lot it is not to attend the court for that present quarter, are denied the privilege of these balconies; wherefore such persons may possess whatever other places they judge most convenient. In Spain there are diverse kinds of councils, as the King's Council, that of the Inquisition, war, India, Italy, the Low Countries, and Arragon, and consequently counsellors of different degrees and qualities; for which cause it is appointed, that each of those have their balconies a-part, beautified with silks and tapestry of colours differing, according to the diversity of those offices and officers.

All ambassadors from foreign kings and potentates are treated after the same fashion, except the pope's legate, whose modesty and piety, forsooth, lays such a restraint upon him, that that prophane festival, not being of the church's appointment, must not be honoured with his presence. All other ranks of persons, assembled thither, may possess what seats they are able to purchase: this, I say, because the general confluence to this common play, from all corners, makes such a crowd, that, notwithstanding the great number of theatres, balconies, and windows, mentioned elsewhere, none can purchase a room in the first pair of stairs, at a lower rate than two hundred crowns; yea, and those places which are not exposed to the scorching heat of the sun, after four o'clock, must be supposed to amount to a greater sum of money. Above the first row of windows, places may be got more easily. Seeing this festival falls out yearly in the months of June and July, any person may imagine, that a refreshing shadow cannot be enjoyed without much money, and great moyan, because of the then extraordinary heat of this place, which ordinarily is known to be a most hot climate. In the cool of the evening (a most dangerous season, I confess) all persons, promiscuously, throng thither; but chiefly about ten of the clock at night, when the affections are much delighted with a most sweet melody and concert of instrumental and vocal musick, and, on all occasions of that nature, the guitar and harp are most frequently used; because generally the Spaniards can dexterously play on those instruments. Where it is observable, that all musickians are had in great account at such a time, not respecting what persons they be, which is hardly discernible, in regard that all are disguised by most gorgeous apparel. It is further to be observed, that, if the jealous Spaniard can espy any man complimenting his

wife with jocosé words or kisses, without any consideration, he will furiously assault such a person with sword and cudgel, whence arise many most lamentable tragedies; for the preventing of which, the law has wisely appointed a considerable number of *alcuaciles*, whom we here call constables, whose proper and sole office it is, to mediate betwixt those persons, rewarding them with bonds and fetters for the commission of such horrid outrages.

The ensuing day, about eight of the clock in the morning, no place can be found empty, whilst none of the members of the court are present, but the mayor and aldermen.

This morning game or recreation (called *Encierro*, or the bringing forth of the bull) is thus performed: There is a gate in Madrid, *De la Vega* by name, nigh to which a large room is appointed for the reception of the bulls, the day preceding this solemn feast, where they are gently fed, rather to render them the more furious, than in the least to strengthen the miserable creatures. It is certain, that, for the most part, bulls are more furious in Spain, than any other part of the world; and there, more especially, such as feed by the rivers *Tago* and *Jarama*, flowing betwixt *Toledo* and *Madrid*. But, to return to our purpose, there is a long and straight street, or lane, adjoining to the house in which the bulls are shut up, and terminating in the place of publick resort, where all passages are carefully stopped; only, over against the foresaid street, there is another large room left wide open, whither the mad animals do throng, finding no other place of refuge left them; by which means, a most easy course is contrived for leading them forth to slaughter. I shall not detain you longer, by relating other passages of the *Encierro*; for it is a matter scarce worth our while, as being destitute of order or ornament, by reason of the court's absence. About two of the clock in the afternoon, twelve gladiators repair to the place, where all are permitted to fight, whom magnanimity, or boldness, shall excite thereto; which liberty would unquestionably produce sad tragedies, if full gaols, and empty purses, were not sufficient means to stop such disorders. Two hours after, there appear the nobility in their stately coaches, all the ground being sprinkled over with water, because of the burning heat of the sun.

Which, while it is a setting, the king and court, with the counsellors and ambassadors, are to be seen, to the great satisfaction of all persons. Upon the back of this, the royal constables, being twelve in number, in good equipage, and mounted on horses, with the richest harness imaginable, drive away all persons and disorders; insomuch that, in a very short time, the constables are to be seen, and none else in the plain square. Afterwards, twenty-four hogsheads of water are carried in waggons, resembling so many green mountains, because of their bigness, and being covered over with most fragrant herbs; those large vessels are the seats of twenty-four men, who, upon demand, open the bung-holes, so that, in an instant, the whole plain is besprinkled with water. In the next place, the king's life-guard, consisting of one hundred Spaniards, and as many Germans, attend his majesty all along, being armed with halberds;

whom coats of red and yellow silk, and caps of the choicest black velvet, adorn exceedingly.

By this time, methinks, you have got a pretty clear idea of what is antecedaneous to the main thing in hand: so that, if the most stately balconies and theatres, if the vast number of people, if the nobility gorgeously, I had said wonderfully, arrayed; if the king's constables maintaining good order, if, in the last place, his majesty's life-guard: I say, if each, and all of those be impartially canvassed by such a considerate person as you are, I doubt not, but you will be constrained, upon the most solid grounds and reasons imaginable, to join with me in the commendation of this festival, beyond any recreation in the world. I confess, France and Italy vaunt very much of their splendid games, as they call them; and the English, upon more just grounds, extol the costliness of their prizes, and the stateliness of their coursing horses. But, in my humble opinion, what I am a describing, may claim right to the preheminance. Yet, if what has been hitherto said, cannot sufficiently evince the truth of this point, I shall endeavour to drive out one foaming bull, that, by seeing the result of such an enterprise, your curiosity may receive the greater satisfaction.

We told you that the bull was shut up in a large room; therefore the person, whose undaunted courage or boldness sets him a work to encounter with this raging creature, stands to his posture at the door of the said house, with a long and sharp-pointed lance in his hand, having one of his knees set to the ground: immediately after the sound of a trumpet, a constable runs with all possible speed, and sets the door of the room, where the furious animal is inclosed, wide open. Way being thus made, and all persons attentively looking on, the man is, by and by, assaulted with great violence; which onset, if, by dexterity, or good luck, he can evade, there is a fair occasion presented him, for killing or wounding the bull to purpose; which, if he miss to do, his life or members are in jeopardy. It is a thirsting desire after some imaginary honour, that sets such bold fellows upon the exposing of themselves to those dangerous circumstances, rather than the advantage of getting the beasts which they have killed, or wounded to purpose.

That the next bull may be rendered the more furious, they set up a quantity of wool, in figure representing a man, with a considerable weight at his legs; which, while the beast pusheth in a most formidable manner, the weight keeps it in a straight position, by which means the bull is wonderfully enraged. Sometimes a very despicable peasant is set upon a lean deformed horse, and exposed very often to a violent death, because of his antagonist's strength and rage. For dragging out the bulls once killed, six mules of divers colours are appointed, which, by the conduct of four men, accomplish this work with all possible velocity and artifice. Six footmen are ordained to encounter with the four beasts yet remaining, to whom no other weapon is granted, but a dagger with some few raxones in a bag, which in length exceed not six or seven inches, having hafts well ordered with bunches of garlands, and points ex-

ceeding sharp, for the more ready carrying on of the intendment: Such as be thus stated are commonly most dexterous, whom it behoves to fight with the bull face to face; he who doth otherwise will undoubtedly incur the risque of imprisonment, with most abashing reproaches, and the loss of a considerable prize. Some men are so nimble, that by a gentle motion they can easily evade the bull's fury, and attain their design. Thus matters go on until such time as the trumpet sounds; then butcher's dogs, and men armed with broad swords, quickly dispatch the strength and violence of those formidable animals.

Some years ago, I remember, upon an occasion of this kind, to have seen a thing admirable indeed, *viz.*

A young man of twenty years, encountering with a big bull, escaped all his comminations by the nimble and dexterous motion of his leg; afterwards he did spring upon his back, and, catching hold of his left horn, wounded him in several places with the *rexones*: in which posture he continued until the trumpet was about to sound; then, and not till then, he dispatched the foaming bull with his dagger, having sustained no prejudice imaginable. All persons present were possessed with a wonderful opinion of the youth, because of his surpassing agility, courage, dexterity, and boldness. But, seeing this example is remarkable, we shall insist on it at greater length hereafter.

It will not be amiss here to mention what fell out, upon such an occasion as this, in the presence of Charles the First, of blessed memory: who, while prince of Wales, repaired to the court of Spain, whether to be married to the Infanta, or upon what other design, I cannot well determine: however all comedies, plays, and festivals, this of the bulls at Madrid being included, were appointed to be as decently and magnificently gone about as possible, for the more sumptuous and stately entertainment of such a splendid prince. Therefore, after the three bulls had been killed, and the fourth a coming forth, there appeared four gentlemen in good equipage; not long after a brisk lady, in most gorgeous apparel, attended with persons of quality, and some three or four grooms, walked all along the square a foot. Astonishment seized upon the beholders, that one of the female sex could assume the unheard boldness of exposing herself to the violence of the most furious beast yet seen, which had overcome, yea, almost killed, two men of great strength, courage, and dexterity. Incontinently the bull rushed towards the corner where the lady and her attendants stood; she, after all had fled, drew forth her dagger very unconcernedly, and thrust it most dexterously into the bull's neck, having caught hold of his horn; by which stroke, without any more trouble, her design was brought to perfection; after which turning about towards the king's balcony, she made her obeysance, and withdrew herself in suitable state and gravity. Sir, did you ever see, or hear, any example to parallel this? Wonderful indeed! that a faint-hearted feeble woman, one would think, should stand in the fields undauntedly, after her attendants had quickly made their escape, yea, and have overcome

such a furious creature as that bull was. This being a matter of fact, which I thus branch forth into divers circumstances; I hope my fate shall not be so bad, as to be called a liar: nevertheless, in regard that I judge you one of my best friends, I will not conceal the mystery of the matter from you. This person was a man, though in the habit of a woman, of great experience, agility, and resolution, who had been well inured to this hard labour at several other occasions, whom they appointed to be disguised so much the rather, that the Prince of Wales might be the more taken with the thing. But, not insisting further on this, I shall proceed to the remaining part of my relation, with all brevity and perspicuity possible.

Noblemen of singular magnanimity, being mounted on horses; incomparably nimble and pretty, with costly harness beseming the dignity of their riders, and the splendor of the festival, appear in great state and pomp: whose grooms in a most decent manner carry the lances, with which their masters intend to dispatch the bulls. Their province and charge is to irritate the rage and fury of the formidable beast. Those heroick minds, managing their lances most dexterously, accomplish their noble purposes, very often by killing or wounding the foaming animals: which, if they fail to do, then the horses sustain great prejudice, insomuch that their riders are dismounted, whom it behoves, in that case, to encounter with the bulls on foot, lashing them with broad swords; which, if any decline to do, he is baffled, and branded with the character of pusillanimity and cowardice. You may easily imagine, that generous spirits will prefer death to such an ignominy and reproach. Thus, three or four persons of quality continue, until it be pretty late, at which time they drive out a bull, covered all over with artificial fire, by which he is rendered most furious and hurtful: for curiosity, and want of further order, induces the rabble to approach so near unto him, that, by his most dreadful pushings, many sustain mutilation, yea, and death itself; insomuch that a tragedy is oftentimes the conclusion of this solemnity.

In the last place of this relation, it may be worth the while to give a brief account of a notable instance of folly in a young lady, and passionate temerity in three gallants, while the king and nobility were present. Three gentlemen, Marcus Antonius, Charles, and Lodovicus, fell over head and ears in love with a certain lady of good extraction and education, being the only child of her parents, and then about the age of twenty years, whose name was Margareta. Those rivals could hardly look upon one another without menaces and blows, of whom, while any one endeavoured, after the Spanish custom, to make a sweet, pleasant melody, in the hearing of the lady, then the other two disturbed him, which did breed many and great quarrellings in the streets each night; insomuch that the lady's parents, and all others, dwelling nigh that place, were highly offended; which, when Margareta had espied, having, it seems, very little affection for either of them, she directed letters to them severally, for preventing of all such disorders for the future; of which epistles the sum and tenor follows:



‘ GENTLEMEN,

‘ I CANNOT be induced to believe, that musick, accompanied with scandalous disturbances, can be termed a testimony of sincere affection; yea, it seems that you aim more, by such a course, to disgrace and baffle my name, than to testify any real respect to my person: therefore, I earnestly intreat you may be pleased to desist from such a foolish, unmannerly, and scandalous action. But, if all this cannot be sufficient to put a stop to the folly of your exorbitant affections, I shall pose you with this experiment: Whoever resolves to express his dexterity, courage, and agility, to all beholders sufficiently, and his ardent love towards me, let him buckle with the bull to-morrow, in presence of all the assembly; and he who shall be so fortunate as to cut off his neck, and present me with his horns, may be assured, by my subscription, that I shall not decline to own him for my husband: which, if any, or all of you refuse to do, get you gone, for effeminate men are none of those I aim at, or desire to be joined unto.

‘ Farewel, from MARGARETA.’

This pertinent and smart letter non-plussed all the rivals, seeing, thereby, a province was prescribed them, which they never dreamed of, nor judged any ways honourable; because noblemen, such as those were, how dexterous soever they be, are never desired to grasp with the bull on foot, and very seldom on horseback; yet, notwithstanding all opposition and reluctance, lest they should be branded with the detestable character of pusillanimity, they unanimously consented to the proposition, each of them signifying a-part, by a most passionate letter, that he was absolutely determined to satisfy her demand, or die. Wherefore, till the time appointed, they remained with the rabble, that more easy and speedy access might be attained, to appear in the performance of a thing in which their credit was so nearly concerned, where they composed themselves until the noblemen, well mounted, were about to encounter with the fifth bull; at which time Marcus Antonius, stepping down, got most nimbly on the bull’s back, intending, by that means, to dispatch him quickly with his broad sword. Next to him appeared Charles, whose business and work it was to catch hold of the beast’s horns, which fell out so fortunately, according to his desire and design, that the bull stumbled by the first assault; so that Antonius fell to the ground. Lodovicus, espying Charles sticking fast to the horns, and Antonius dismounted, with a dexterous and seasonable stroke, cut off the bull’s neck. Charles immediately got to the lady with the head, signifying, that the condition of the compact was fulfilled, and therefore he claimed an interest in her for his wife. Lodovicus did take it very ill to be thus trepanned by subtle Charles, seeing he it was who cut off the neck, and therefore concluded the prize to be his, in all justice. Antonius, moreover, being the person who first gave proof of his magnanimity, making way for the other two, concluded it highly reasonable, that he should be preferred before either of them; which did breed such a wrangling among them, that, had not the Alquaciles, or constables, interposed, they would have committed a most la-

mentable tragedy. Being now led to the king, they gave an account of the matter, which, when his majesty heard, he commended, in some respect, their valour, but could not approve of their inconsiderateness; seeing, therefore, he understood it to be vanity, if not cruelty, in the foolish lady, rather than any sincere love, to demand such a dangerous attempt, strict orders were given, that none of the rivals should persist or proceed in a course so very foolish. Thus the debate ended.

We have now impartially described what is considerable in the yearly festival at Madrid. I grant, indeed, as before, that it is a recreation scarcely beseeming Christians, whose meekness and gentleness should not admit of such barbarous diversions: nevertheless, to speak no more of that, it is generally concluded, that persons, appointed for such an exercise, ought to be furnished, not only with suitable courage, but also with agility and dexterity, to evade the assaults of a violent brute, by which means many become famous.

Here we may observe, how much the Roman plays come short of this game: for criminals were there compelled to grapple with boars and lions, most truculent creatures, of which few can promise themselves the victory; and thus poor convicted pannals suffered a most cruel death: to which it may be added, that those games were chiefly designed to satisfy the bloody and vindictive humours of the people, who rejoiced in such lamentable experiments. It is otherwise here, in regard that no man is constrained to undergo this hard labour; neither are criminals punished with such a death; but masculine and noble minds desire an occasion of this kind, whereby proof may be given of their agility, and undaunted courage. However, as I told in the beginning, it is not my work to praise or condemn this most ancient and uncontrouled custom. All I aimed at was, to satisfy your commendable curiosity, by describing this festival, which is judged in Spain a most noble recreation. Our next business shall be to enlarge a little on the history of Placidus, of whom mention was made elsewhere.

### THE HISTORY OF PLACIDUS.

THIS Placidus, a youth very much admired and praised, because of his valiant exploits, was the son of Fadrick who played the merchant with one Antonius in Seville, a city in Spain, well known, and much commended by travellers of all nations and languages who resort thither.

Undaunted courage set our Placidus a work to grapple with a most violent brute, after he had remained some time in Madrid, whither he repaired without the knowledge and consent of his indulgent parents for this very end, that, in the flower of his age, all persons, from the king to the peasant, might receive a sufficient, I may say wonderful, specimen of his surpassing fortitude and magnanimity.

Here it is observable, that Fadrick and his hopeful son seemed rather to be one person, than two; for, in nature, demeanour, stature, speech, and countenance, they resembled one another so much, that a quick-sighted man could hardly distinguish betwixt them: yea, although the father was a man of fifty, and the son but of twenty years, yet any who looked upon their pictures, affirmed stiffly that the one was an exact pattern to the other: and, had not the eyes of men been a demonstration to the contrary, I am apt to believe that the possibility of such an universal similitude, so to call it, would be thought a chimæra. Yet, if we consult authors of good note and great worth, many instances of this kind may be found.

Valerius Maximus, with great confidence, affirms that Pompey the Great, Urelus, and Publius Libertinus differed in nothing, but their vestments; so that, if two of them were arrayed after the same fashion, a quick-sighted person could not assign a difference betwixt them. It is also written by Pliny, that two boys, the one being a Syrian, and the other a French, were so very like to one another in every point, that a certain person sold them to Marcus Antonius, under the notion of brethren. Antonius, perceiving their language to differ, threatened the person who had thus imposed on him; to whom the other replied, 'If they had been brethren, I would not require so great a sum of money, because in that case, nature could not be said to bring forth so great a wonder, as now you see.'

If it be true in any respect, that, according to the philosopher, similitude begets affection, how much more in this instance of Fadrick and Placidus, whose mutual love was wonderful beyond that of most persons in such a relation. Yet, by the interposition of Agnes, a young lady of singular endowments and education, the brightness of this splendid passion suffered in some measure an eclipse. This beautiful object became the center of their desires and uncontaminated love, which could not be smothered long: wherefore, they discovered their maladies to one another in a most friendly manner, and determined, after a serious and mature consultation, to submit the event of the matter in hand to the young lady's and her mother's arbitrement; insomuch that the person excluded should remove from his native country, lest by his presence way might be made for jealousy, whose effects are more dangerous no where, than in Spain. After this both of them met with bad entertainment, and small encouragement, at the hands of Agnes and her mother: Yet, in process of time, Fadrick's riches and constancy had great influence on the matron. It is true the youth of Placidus was no small motive to obtain the respect of the pretty lady: nevertheless, bags of money were an argument *a fortiori*. After both parties had pondered sedately the circumstances most remarkable, the mother speaks to her daughter after this manner:

'My dear child, you see there is no solid objection, which can be brought against those worthy persons, who have set their affections on you; and therefore I judge it most reasonable, that you freely declare your own sentiments in this affair. I know the

neatness and youth of Placidus will have great weight with you ; and, on the other hand, Fadrick's declining age will in some measure alienate your affections from him : but hearken diligently, my daughter, to the dictates of right reason, rather than fond fancy, which misleads many in your circumstances ; and you shall find riches and experience more eligible, than undaunted youth, or any other imaginary foundation, on which the superstructure of your desires and designs is fixed. That this may yet have the greater weight in your estimation, consider how much riches contribute to beget esteem and honour in this city where we live ; so that persons of noble extraction lose their dignity frequently with their wealth. What is beauty but a fading flower, which nature, in a short time, or some unexpected accident will prey upon, and reduce to nothing ? let a brisk gallant discharge, to admiration, all the punctilio's of court education and activity ; will that purchase food and raiment ? whereas money answers all things ; without which trading and commerce should die. I judge it superfluous to make an enumeration of the qualities of gold which we eat, and with which we are cloathed : hence arose the proverb, *that is gold which is purchased by gold* ; which saying renders it most universal, seeing all things are valued at some rate or other. It is true, I confess, Placidus is inferior to few gentlemen in probity and reputation ; but it is as true his father, though rich, has many children, and may, in all probability, beget many more ; what then will the riches amount to, which must be divided among so many ? you know, if it were possible to divide the ocean into many rivulets, this vast collection of waters would appear very inconsiderable, in respect of what it now is. But I pass by this topick, lest that you may suspect interest prevails with me. In the next place therefore, let us consider whether or no you can promise yourself as great satisfaction in the one as the other : not at all ; for whoever is married to Placidus, must necessarily be in a slavish subjection to his father, his brethren sisters, and relations ; whereas the wife of Fadrick will enjoy immunity from such a bitter lot, as being above and beyond the reach of all those censurers.

Alas ! Alas ! woeful experience, the school-mistress of fools, has furnished me with this observation ; as witness those grey hairs, brought forth untimely by excessive grief and sorrow. Shall you deck yourself with the finest needle-work, and most gorgeous raiment possible ; then black-mouthed backbiters will readily misconstrue your neatness. If, on the other hand, such a decorum be neglected, why, say they, she is not content with her lot and condition. You cannot frequent divine worship without the character of levity or hypocrisy ; nor forbear such a religious observance, but immediately occasion will be taken of branding you with the stigma of an irreligious wretch. In fine, the eyes of all relations will be fixed upon you, that you cannot promise yourself satisfaction and tranquillity in the most minute circumstance. And it may be added further, that such an uncharitable

‘ multitude may so influence your husband with prejudice, that, in  
 ‘ a very short time, the greatest of all your miseries shall arise from  
 ‘ his jealousy or unbeseeming carriage towards you.

‘ If so be, then, that, by being espoused to Fadrick, no such inconveniencies can, in reason; be suspected; what remains, but that,  
 ‘ in obedience to those pressing arguments of your loving mother,  
 ‘ and in relation to your own future contentment, you cheerfully  
 ‘ assent to the proposals of the father, without the least reluctance  
 ‘ imaginable?’

Those pithy motives, founded on reason and experience, wrought a sensible and sudden change upon Agnes; insomuch that, in a thundering manner, she decided the whole matter in favour of Fadrick; which conclusion produced no less sorrow to Placidus, than contentment and joy to Fadrick. Whereupon, dejected Placidus, according to his passion, without any more delay, forsook his native country, having got from his father about a thousand guineas, who left it to his choice, to spend his time in India, Italy, or the Low Countries, being to receive money upon bill, according to the custom and necessity of gentlemen, while abroad.

When he had come to Naples in Italy, his genius inclined him to play the soldier, as being an employment, by which honour and lasting renown is more attainable. After a few months there, he enjoined his trustee to certify Fadrick and all relations of Placidus's death, that intercourse of letters might be stopped; which he judged the fittest course and method, to free him from pensive melancholy; but all this could not eradicate a passion so deeply rooted.

Fadrick, by successful traffick, attained quickly to vast possessions, which, with a virtuous wife, might be supposed a pleasant condition. Yet, notwithstanding all this, the want of children was matter of great grief to him. Wherefore, that his memory might not die with himself, he resolves, without delay, to distribute his riches among his nephews, Charles and Bernard, who are brought to him, for that purpose. Their uncle and his lady entertain the boys, with all the expressions of joy and kindness possible. In a very short time, their good behaviour and affability did procure unto them a great many friends and acquaintances in Seville, where they pass under the notion of Fadrick's sons. The old man's love to his nephews rose to so much the greater height, in that he perceived himself decaying more sensibly than could be expected by the course of nature, not being as yet sixty years, whereas Agnes appeared more brisk than ever.

Thus Charles and Bernard, discovering that their uncle had, in a manner, centered the comfort and tranquillity of his decrepid old age on them, waxed insolent and disrespectful towards Agnes, whose prudence taught her to obviate the very beginning of this evil, by representing such enormities to her indulgent husband. The old man, complying with his wife, appointed a lodging elsewhere for his nephews, with all things necessary, and suitable to their condition; which course no ways abated the insolence of the young men, but

rather increased the same; insomuch that they branded Agnes with incontinency, and many other vicious qualities.

At this time Placidus, having travelled all Italy over, came to Bononia, where his life was in jeopardy: for, happening to be late out of his lodging, the second or third night after he came to town, he wandered in the streets, by reason of darkness, and his unacquaintedness with the several corners of the city. At length he espied in a place, somewhat remote, a glimmering light, whither when he had approached, three cut-throats are found assaulting one gentleman with all possible fury. The compassionate Placidus, thinking that a fit season for charity and fortitude, became the oppressed gentleman's assistant, by which means two of the rogues were grievously wounded, the third being smote with the edge of the sword.

Having thus rescued the Italian from imminent death, not without some danger, for he sustained the prejudice of two or three wounds, he calls his servant to bring his horse. James Viteli, in whose behalf he had seasonably appeared, answered, saying, 'Sir, your ineffable kindness and courage call for my attendance as a servant, who am ready and willing to wait upon all opportunities, whereby I may express my gratitude. I know diligent search will be made for us by and by; therefore, seeing I take you to be a stranger unacquainted with this city, I intreat you may be pleased to accept of my company, and, by the grace of God, we shall escape the rage and fury of our adversaries; and I promise to dress and cure your wounds in a very short time.' Placidus concluded it highly reasonable to lay hold on such a good motion: wherefore James Viteli conducted him from one street to another, until at last he came to an house, where, it is probable, he had been known; upon which consideration, he knocks hard at the door, until such time as a comely youth had given him access; forthwith, according to his duty and promise, he dressed the wounds of Placidus, which were not deep nor deadly; enjoining withal, that the student should go in all haste to such a street by name, and return with an exact account of all emergents. Whither when the young man had come, he sees all things in a hurly-burly, one man being dead, on whom a great number of citizens are gazing; and orders given to apprehend such as could be suspected any way accessory to such an assassination. Where also he heard a certain person imprisoned, confessing that he was the servant of one Placidus, a Spaniard, who had killed the man. When the youth returned, he gave an impartial account of all occurrences observed by him. The gentlemen, perceiving what might be the result of such a commotion, slipped away quietly in regard that they concluded it most dangerous to stay so near the place of justice, where a strict search was to be made.

Having thus escaped hazard, Placidus is curious to know the original of his companion's misfortune, in being assaulted by three men in such a place. To whom Viteli answered thus:

My dearest Placidus, I determined to disclose this secret to no man living; yet, considering you to be my greatest friend upon earth, who in my cause exposed your noble person to danger, and, neglect.

ing all the important affairs which induced you to see Bononia, has continued my companion in affliction, though a stranger; I say, upon these, and many other weighty considerations, which my shallow brain cannot comprehend, nor my stammering tongue express, I will, with the greatest candor and ingenuity imaginable, discover this matter to you.

I was born at Rome, the queen and mistress of the world, where, when I was very young, my honourable parents gave up the ghost. After that I had sucked in the first and common principles of learning, my good friends and relations sent me to the famous university of Bononia, where I made no despicable proficiency in philosophy, and all the languages professed there, which are the Spanish, German, French, Hebrew, and Greek: all which could not satiate my thirsting desires after knowledge, until the study of physick became my work and business. But a lady of singular endowments and quality, being pleased to honour me with the strongest testimonies of sincere affection, diverted my thoughts from prosecuting the most pleasant of all studies. How secret soever this matter was kept, the lady's brother understood it; which prompted him, with two other conspirators, to lie in wait for my life; and undoubtedly I had become a prey to their fury, if (by the divine providence) one of the three had not signified to me the method of this most horrid plot.

Then I determined to travel through Spain and other countries; but, being driven from Genoa by a most violent tempest, I was enslaved to the Turks, who first brought me to Algiers, and then to Constantinople, where I was sold very often under the notion of a slave. At length I am presented to one of Mahomet's physicians, who, finding me pretty expert in the principles of medicine, was pleased to encourage me with his fellowship and instruction, to my great advantage, I must confess, in some respects; whose gentleness was such, that he would not thwart my inclinations of returning to Italy, but rather encouraged me by the gift of two thousand guineas.

After a tedious and dangerous voyage, I came to Venice, where, being unknown, the people looked upon many of my operations and experiments as miracles, rather than the product of natural knowledge; for which cause, the magistrates encouraged me with promises of a very considerable salary. But all this could not induce me to stay, seeing my thoughts and desires were much concerned with returning to Bononia, where I had enjoyed so many pleasant days. I could not imagine that it was possible for any in that place to know me after the absence of six compleat years; which time also might quench the ardour of Camilla's passion (ah! her name cannot be concealed, nor my love towards her suppressed.) Upon those considerations I came to Bononia, where I was entertained with great courtesy by all persons of knowledge, to whom I discovered my various misfortunes and difficulties; by which means the noise of my being in town came to the hearing of Camilla; who incontinently saluted me by a most pathetic letter, as you may easily imagine. Thus our love was renewed; and so much the more, because she came, the ensuing day, disguised, to my chamber, where

we entertained a most comfortable dialogue, founded on the solid hopes of obtaining our longed for desires. I seemed to decline and reject the profession of medicine in the university of Bononia, merely, that Camilla's brother, and his associates, might not in the least suspect me, whom they hated with an inveterate hatred, which time, nor dignity, could not eradicate. Nevertheless, by debating, I obtained the honour of that place. Then engines of cruelty are set on work to dispatch me some way or another; and, I must confess, the rogues had accomplished their corrupt design, if, by the divine providence, your seasonable charity and magnanimity had not rescued my life from their malice. In testimony, therefore, of my gratitude, I protest to remain your most faithful friend and servant, while I breathe, declaring, to that end, a willingness of accompanying you to Spain, or any where else.

Placidus was very much taken with the grateful acknowledgments, and protestations of lasting kindness, so pitifully expressed by Viteli: yet, being unwilling to divulge or disclose the hidden sorrow which burdened his spirit, he answered the other in a most courtly and complimenting strain: Sir, you may confidently assure yourself of my unalterable good-will, wherever you be, or however stated. The pregnant Viteli, by a groan attending those words, perceived Placidus to be a little discomposed; wherefore he resolved to know the cause of so great grief at a more seasonable occasion. In the mean while, they entered into a strict league of amity, having all things common; in which real kindness consists, if we hear the philosopher. A few days after, they came to Genoa; where, as all along their peregrination, their thoughts were alleviated, by giving an impartial and free account to one another, of their divers misfortunes; and so much the more, in regard that Viteli, by his superlative knowledge, and jocose brisk disposition, was a physician no less capable to remove the sorrows of the mind, than the distempers of the body. Yet Placidus, in some measure, continues dumpish and pensive; so that Viteli intended to expiscate and extort from him the original and cause of so lasting a grief, and did carry all things on, in order to his conclusion, so wittily, that Placidus is allured to discover the perplexity of his mind, after this manner: Your probity and gentleness extract from me a secret, which I never purposed to disclose. After which he makes mention of Fadrick's compact with him (while both of them had a longing desire to enjoy the virtuous and beautiful Agnes) who, by the instigation and persuasion of her covetous mother, rejected him, embracing Fadrick. In a word, he did not omit the least puntilio, which could satisfy the curiosity of Viteli; who, replying, answered thus:

My dear Placidus, be of good cheer, for there is no malady so great, which admits not of a remedy applied with so much the better success, that the patient can discover his distemper distinctly, as you have done; and therefore I constantly promise (being taught by experience what such a case meaneth) to remove your trouble and grief, by an experiment at first, it is probable, strange in your eyes; though, after mature deliberation, most obvious. All I crave



is, that you condescend yet once more to walk with me in the streets of Seville.

Having thus embarked at Genoa, they arrived at Barcelona; from whence they sailed by Tarragona, Valencia, Alicant, Carthagena, and the borders of Granada, until they came to Malaga, and at length to Cadiz, the haven of St. Mary and St. Luke, and sailed thence along the River Betis to Seville; where, being in stranger's apparel, they search for a convenient lodging; in which Placidus abode, while the intelligent Viteli went abroad, informing himself, the best way he could, about the state of affairs in Fadrick's house; which he understood exactly, and returned to Placidus, signifying how indulgent dying Fadrick was towards his insolent nephews, Charles and Bernard; as also, that Agnes looked as brisk as ever. In a word, he answered the most particular questions so fully, that Placidus's grief was, in a great measure, asswaged.

The learned Viteli gave such proof of his knowledge in physick, by sundry wonderful experiments, that, in an instant, his name spread abroad. Agnes, therefore, hearing of such an expert physician, thought it her near concernment and duty to consult with him concerning the nature of Fadrick's disease, which was concluded mortal by all other physicians in Seville. Viteli, having visited the old man, discerned nature shrinking, and death approaching: Nevertheless, to encourage the lady, he confidently affirmed, in the presence of many learned and judicious men, that his disease was not mortal; which assertion he confirmed with reasons and arguments founded upon the most solid and genuine philosophy, so that no place was left for cavils, all physicians, there present, being persuaded of the truth of his discourse. Which comforted Agnes so much, that, with great intimacy, in private conferences, she searched into Viteli's sentiments in this affair. The expert physician failed not, at such a time, to make mention of Placidus, whose valiant exploits he praised with such eloquence and admiration, that the lady's pristine love revived, and prompted her to enquire very concernedly where he lived, and whether there was any truth in the noise of his death. The smart Viteli, by such questions, perceiving much affection to center in the lady's breast towards Placidus, answered her thus:

Madam, I am obliged to declare the truth, and cannot sufficiently declare what is true concerning his lasting renown abroad; nor how constant and christian his love has been to you; otherwise, the excessive grief of his spirit had undoubtedly rendered him desperate, and accessory to his own death. The rumour of his death implied, that his love might be termed dead, because, without the hope of enjoying its object.

God knows, said Agnes, how much I desired to be married to him; but fortune has so ordered, that I should be the wife of Fadrick, though much against my inclinations. Yea, I must add, seeing this subject is pleasant, that the love of Placidus is of great force with me to this hour. It is true, I am obliged every way to bear a suitable respect to Fadrick, who has continued all along a kind husband,

never believing the odd aspersions with which his insolent nephews, Charles and Bernard, endeavoured to brand me,

I know, said Viteli, that many waters cannot quench love, but it must break forth after some manner or other; and, methinks, the divine providence has conducted me hither in a good season; therefore, seeing that I am persuaded, that, according to the course of nature, Fadrick cannot live fifteen days, madam, if you be pleased, I shall in the mean time contrive and carry on matters so dexterously, that, by your husband's last will, and without the least opposition, you may enjoy your beloved Placidus, instead of his father. I have heard Fadrick, replied the lady, at sundry times, in a most pathetic and passionate manner expressing sorrow and grief for the death of his great and real friend Placidus, as he called him; for, said he, if my son were alive, I would dispose of my substance to him and you; ordering, withal, your cohabitation, under the notion of husband and wife. But, supposing Placidus be yet alive, our union will meet with great opposition from Fadrick's insolent nephews. Nay, madam, said he, leave that to me; for I am willing to lose the reputation of a gentleman, yea, and life itself, if I do not carry on the matter so wittily, that, in great peace, without the least shadow of fear or danger, you shall enjoy Placidus for your loving husband. Thus Agnes went to her closet with great joy. Placidus could not easily be persuaded of the possibility of the matter, yet his companion's pregnant wit and knowledge added some confidence to him: for Viteli had undertaken, not only to remove Fadrick's present distemper, but also to renew his youth and strength, chiefly that, by such means (a sophism indeed!) Placidus might attain to the enjoyment of his longed-for Agnes: for which cause, said the ingenious Viteli, in the presence of learned physicians, you shall, in a very short time, perceive Fadrick brisk and vigorous, with teeth, hair, and colour suitable to the age of thirty or forty years. Those learned men laughed him to scorn, and the lady doubted of the matter greatly; but, to put an end to doubting and mocking, he spoke to the physicians, in the presence of Agnes, Charles, and Bernard, after this manner:

I must confess, the opposition of such judicious men might terrify Galen, Hippocrates, and Æsculapius, of whom it is reported, that he raised himself from the dead: How much, then, may a novice (such as I am) tremble, when I consider, that I have undertaken, in your presence, to demonstrate how the radical moisture may be restored, insomuch that decrepid old age shall be constrained to clothe itself with the colour, vigour, and other qualities of brisk youth! Nevertheless, the strength, which attends truth reduced to practice, revives my fainting spirits; so that with confidence I affirm the certainty, as well as the possibility of my demonstration; which I shall endeavour to evince in the Spanish tongue, though with the greater difficulty, for the satisfaction of Agnes, Charles, and Bernard, the parties mostly concerned.

Gentlemen,

You know very well, experience, authority, and reason are the surest foundations, by which any truth can be supported; from all which my proposition shall be made evident.

The learned Arnoldus, Villa Nova, Tully, Paracelsus, Cardanus, and others, whom we need not mention, favour us in this point; as also the alchymists arbor vitæ; so that authorities abound with us.

In the next place, Blaucus de Taranto affirms, that in Saguntum, in the kingdom of Valencia, there was a nun of sixty years, whose age was renewed, having teeth, hair, colour, and vigour, as if she had been but thirty years old.

And Antonius Torquemada, in his dialogues, gives us an account of an old man, who was restored to strength, being one-hundred years old; after which wonderful change he lived fifty years. From which author, and common tradition, we hear of such an instance in Toledo. All learned men know that passage related by Ferdinandus de Castaneda, lib. viii. and by Petrus Malseus, lib. iii. Hist. Ind. how that a nobleman of India lived three hundred and forty years; in which time his age was renewed thrice.

If we consult reason, we shall find her no less favourable, than authority or experience; for, what is youth, but an equality or proportion of natural heat and radical moisture? yea, according to Galen, and all other learned physicians, the difference of the ages is deduced from the different operations of the natural heat. And Aristotle affirms, that the nature of old age consists in frigidity and siccity; from whose explication, Lib. de Long. et Brev. Vitæ, we learn, that such men wax old soonest, whose lives have been attended with greatest labours and cares, which cause a dispendium of natural heat. Therefore, if this be true, it seems that humid medicaments, with hot potions and applications, may restore decaying age, by reducing the radical moisture, and natural heat, to such a proportion as they enjoy in youth. And it is observed, that the Divine Providence has furnished divers stones, herbs, and waters, with qualities which, if known, would silence all cavillings in this matter. It is reported by Cardanus, Langius, and Petrus Chiezæ, that in Bonica and Lucaya, wells are extant, those waters are more delicious than the choicest wines, having in them virtue to renew a man's age: This is testified by Aristotle, lib. iii. Hist. Animal. cap. 12. and other authors of good note. Homer also mentioneth the like of herbs. And, methinks, although the simples, requisite for producing such strange effects, be not commonly known, yet it is a *male sequitur* to infer, therefore no man knows them: Yea, no man in sober reason can deny, that spirits are contained in herbs, waters, and stones; which being once granted, it necessarily follows, that these, when well extracted and applied, may serve to carry on such a rare work, as I now mention, and am about to demonstrate. Further, it is observable, that I have been travelling many years: by which I had occasion to discourse with Mahomet's physicians, as also with Arabians, Persians, and Phœnicians; upon which con-

sideration it may be suspected, that I know things not discovered, as yet, in this place: Wherefore I shall, with God's grace, restore Fadrick to strength and health, seeing I perfectly understand his malady and complexion. But you may ask, if, in such a case, he may be called young? I answer, not at all; but that he is in a better disposition for life, according to his nature. Now, if this theory suffice not to stop the mouths of wranglers, the matter shall be put beyond all doubt by practice. Thus ended Viteli his pertinent discourse; who, after the dying old man had been committed to him, made a paction, that none should disturb him, by coming into the room, where he was, to tarry with the sick person, except such as he called; and that apothecaries should grant him what simples he pleased to ask. All persons consented to those demands, but none more cordially and cheerfully than Agnes, who was privy to Viteli's design. The next day was appointed for the work. Viteli, having repaired to his lodging, discovered to Placidus how much he was applauded by the physicians; and also that Agnes was exceeding glad, the young men, Charles and Bernard, being much dejected; and he persisted in the former confidence, that all things would succeed aright, and be brought to an happy issue. He strictly charged Placidus to eschew all society, considering, that the non-observance of that rule had a necessary tendency to mar the curious contrivance. Then he returned to the patient, to whom he gave a potion, which, being mingled with a little poison, set the old man's tongue at work, giving vigour and agility to his body in a short time, to the admiration of all beholders.

After which, Viteli spoke privately to Agnes, saying: Madam, Fadrick will not, in all probability, live nine days; therefore it is convenient to call Placidus, seeing the old man, in his last will, has made you his heir, appointing a thousand pounds for each of his nephews, to either of which if you be married, the possessions set apart for you are lost; but, if you chuse Placidus for your husband, he must in all reason receive the half of his father's substance. Now you see how nearly you are concerned to hearken to my propositions, seeing matters shall be so dexterously carried on, that all persons will conclude Fadrick yet alive. This, I hope, will prove acceptable and comfortable to you and Placidus, whom I ought to serve, according to my capacity, while I live.

The old man will go down to the grave with joy, by this course, which will create affliction to his insolent nephews. Not long after, Fadrick dieth, and is buried after a most clandestine manner; in whose place they substitute Placidus, whom all persons affirmed to have been Fadrick restored to health and vigour: which business being fully concluded, to the satisfaction of the parties mostly concerned, Viteli prosecuted his design of travelling. This relation discovers much of the world's deceitfulness, which is frequently defended by great authorities improved with dissingenuity.

Sir, I shall add no more concerning the solemnity at Madrid, and the history of Placidus, wishing that your pleasure in reading may correspond to the desire I entertained to satisfy your curiosity in writing the same.

Farewel.

## STRANGE NEWS FROM PLYMOUTH;

OR,

A WONDERFUL AND TRAGICAL RELATION

OF A

## VOYAGE FROM THE INDIES;

Where, by extraordinary hardships, and extremities of the late great Frosts, several of the seamen, and others, miserably perished; and, for want of Provision, cast lots for their Lives, and were forced to eat one another; and how a Dutch Merchant eat part of his own Children, and then murdered himself because he would not kill his Wife: With the miraculous preservation of George Carpingier, an English Seaman, and the Dutch Merchant's wife, now ashore at Plymouth. In a letter to Mr. D. B. of London, Merchant. Quarto, containing eight pages, printed at London for J. Conyers, at the Black Raven in Duck-Lane, 1684.

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SIR,

ACCORDING to promise in my last, I have inquired into the particulars of that so tragical a relation therein mentioned, the which, without any prologue, I shall lay down in its naked truth, as I had the same from the mouth of the survivors who are now at my house, which, if you please, take as follow:—A gentleman called the Heer van Essell, native of the Low-Countries, having had the education of a merchant at home, was resolved to improve his patrimony in some foreign parts: To which end, being thereunto the more encouraged by the promise of a strict correspondence with several of his country-men, he undertook a voyage to the Indies, whither he arrived about the year 1670. And, by the industrious management of his affairs, increased his estate so considerably, that few men in those parts lived in greater splendor; being thus settled about seven years; afterwards he came acquainted with the daughter of a Dutch merchant of great fortune, a gentlewoman of many worthy accomplishments, and exceeding beautiful. Our merchant, being much taken with her port and beauty, made his addresses to her, and, resolving to change his condition, found her not altogether averse to his happiness; which, by degrees, he raised to consent, and obtained her for his wife, with whom he lived very happily for several years, till he had increased his estate to such a portion, as made him think to return to his own country, where he first drew breath, and had left his relations; communicating which design to his lady, she readily assented to the voyage, and accordingly he

made preparation to gather his estate into a bottom, and take leave of the Indies, which in a short time he effected; and being supplied with a vessel that had discharged herself at the said port, he hired the same for Rotterdam, and therein embarked himself, his wife, two children, and one servant, with all his estate, which amounted to a very considerable cargo, and, in August last, took shipping. The flattering sea, which too often beguiles us to our undoing, promised him for the first two months a very happy voyage, and filled his heart with hopes of touching the shore, the long absence of his friends rendered very desirable to him, and buoyed up with the expectation of a happiness cruel fate had designed to deprive him of, was on a sudden becalmed; insomuch that, for several weeks, they could scarce tell whether they were forwarded a league's space; in which time, of the sixteen seamen and master that was on board, by a disease that increased amongst them, several died, and, by degrees their provision growing short, they were forced to deal the same more sparingly about, hoping, by their care, they might have enough to serve them through their voyage, and made the best way they could to their desired port; yet, such was their misfortune, that they failed of their expectation, and came to see the last of what they had spent, and for four days lived without any sustenance; and, the wind being cross, they could not make land, where they might revictual, but were forced to keep on their voyage. Their extremity was such, that the two children, not so well able to bear the hardships as others, both died, on whose bodies, notwithstanding the tears and intreaties of the merchant and his wife, they were forced to feed; which being in a short time consumed, it came to be considered, having no sight nor hope of any shore, that they must either all of them submit to the fate that threatened them, or contrive some other method to save themselves, which at present they had not the least prospect of, unless, in the common calamity, they consented by lot, or otherwise, to destroy some one in the number to save the rest; which unwillingly they were at length enforced to, and jointly agreed, that, according to the number then on board, they should number so many lots, and on whom number one fell, he should be slain, and number two should be his executioner. But here a dispute arose, whether the merchant's wife, whose two children had to her great grief been already eaten, in favour to her sex, should not be exempted from the fatal lot: some were of opinion she ought, and particularly one George Carpinger, a stout English seaman, used his endeavours to work the company to assent thereunto; but as nothing is so voracious or cruel as the jaws of hunger, on the one hand, or so estimable as life on the other, he could not effect his design; so that, the majority having over-ruled his arguments, they drew in common, and such was their misfortune, that the lot fell on the woman for death, and on her husband for executioner. Miserable was the lamentation of the husband and wife, that so fatal a mischance should for ever part them; yet tears and intreaties were ineffectual, so that nothing but submission was left, though the merchant's servant and Carpinger stood resolutely against the rest, and resolved to spare

them ; which the merchant perceiving, and knowing their force was too little to accomplish their wishes, with a settled countenance, poke to them to the following purport : ‘ Honest friends, for such you have approved yourselves to me, you have seen the hardship of my fate ; and, since it is drove to this point, I am resolved never to be her executioner, who hath been so loving and just a wife to me ; but in her stead am resolved myself to be the sacrifice ; and therefore what I have to say to you is, that you stand her friends, when I am dead ; what is in this vessel does, as you know, belong to me ; spare nothing of it to serve her, and with these notes, if ever that you arrive at Rotterdam, though all in this cargo be lost, you shall be plentifully rewarded.’ Which after he had said, and hey with tears had heard, being about to answer him, he drew a pistol from his pocket, which he so unexpectedly discharged, that they had not time to prevent it, and shot himself in the head, of which wound he immediately died.

The cry they made at his fall, and the noise of the pistol, were quickly heard by the rest of the ship’s crew, which soon called them thither ; nor was his wife long absent, who, poor lady, had been preparing herself for her end, which, by this less pleasing disaster, she saw prevented. The tears she shed and extravagancies she acted at so dismal a tragedy, were but needless to recount, since none are so hard-hearted but may in some measure judge : she sounded and almost died with grief, and begged to be her own executioner, but she was too narrowly watched by her servant and Carpinger, to effect so cruel a purpose ; their eyes never left her, and their cares were more for her preservation than their own ; but in vain was all their watchfulness against the enemy from without, when she harboured in her own breast a foe sufficient to destroy a greater strength than grief had left her ; for no intreaties could persuade her to feed on that dear corpse she had so often cherished, but what share thereof, the hardship of her fate allowed her for her food, she embalmed with her tears, and by renewed vows promises to share fortunes with it, and be buried in the same unwonted grave in which that flesh was distributed, she once so much admired ; which she had near accomplished, having had no food in that time but two rats, which were fortunately taken, and presented to her by Carpinger, at such time as the fatal lot was to take its second round, in which she was resolved to share, notwithstanding all the intreaties of Carpinger and her servant ; and, in short, she had her wish, and drew again a second time her own sentence, which she welcomed more than a bridal day ; and, being just ready to yield her throat to the executioner’s knife, she had certainly fell, had not Carpinger, with two more, whom he hired, stepped in, and resolutely withstood the execution ; upon which quarrel they drew their faulchions, and four persons were slain, amongst whom the faithful servant was one. This was a sufficient morsel for the present, and staid the bloody hunger of the survivors, who were now reduced to five or six persons besides the lady ; with the bodies of the slain they were then fed more plenteously than for some months preceding, but such

was the rigour of their fate, that, by the unusual diet, most of their men were dead, just as they got sight of the Lands-end of England; and, having but very few hands to work their vessel, they found that, from the dangers they had been so long in, a second threatened them from the severity of the late season, for, the ice being there in very great flakes, they found themselves drove amidst the same towards the shore, from whence they could not disengage the ship; in which time, Carpinger, being a person of a voluble tongue, and formerly well bred at Stepney near London, where his father, captain Carpinger, had long lived, used all the consolation he could, by words or device, to comfort the despairing lady, till, at length, she was prevailed to hearken to him, and give her promise to spare all violence on herself, and wait her better fortune; in this case they lay for six days, till all but two persons, besides themselves, were dead, and these so miserably weak they could not leave their cabins, so that, being-froze in, they could not stir. Carpinger with the lady resolved to venture on the ice, and set forward towards the shore; which she the rather undertook, for that she hoped hereby to find a grave in those waves on which she had lost what she loved above her own preservation. With this resolution, Carpinger, taking charge of the lady, got a plank and a long pole in his hand, and with these left the ship, and, with great danger and difficulty, in six hours got safe to shore, having opportunity only of saving a casket of jewels, which he brought off with him, where, at my own house, the said parties now remain, in reasonable health: and, considering the care and kindness of Carpinger, the lady seems much to favour him, and, when the time of mourning is over, will, undoubtedly, make him happy in her embraces.

SIR,

You may, according to the credit I have with you, communicate this to the publick, if you think fit; after Easter I intend to see you at London, and, in the mean time, I am

Your Servant,

Plymouth,  
Feb. 3, 1683.

J. G.

*Postscript.*

I should have given you some account of the ship, called the De Ruyter of Rotterdam, which we see at a distance: but as yet the frost is so hard we cannot get to her, but have small hopes of preserving her.

J. G.

This relation is justified for truth, by us,

John Cross, }  
William Atkins, } Seamen.



**THE SHE-WEDDING;\***  
 OR  
**A MAD MARRIAGE,**  
*BETWEEN MARY, A SEAMAN'S MISTRESS,*  
 AND  
**MARGARET, A CARPENTER'S WIFE,**  
**AT DEPTFORD.**

Being a full relation of a cunning Intrigue, carried on and managed by two Women, to hide the discovery of a great Belly, and make the parents of her Sweet-heart provide for the same; for which fact the said parties were both committed; and one of them now remains in the Round-house at Greenwich, the other being bailed out. London, printed by Geo. Croom, at the sign of the Blue Ball in Thames-street, over against Baynard's castle, 1684. Quarto, containing eight pages.

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**I**T hath been the policy of the prince of darkness in all ages, when any work of his was to be carried on, which required a more than ordinary cunning, to employ a female craft therein: Nor indeed from his first attempt in that kind, in the betraying our mother Eve, did he ever find reason to blame his discretion in the said method, since he scarce ever failed thereby of his ends. It was by a Dalilah he betrayed the strongest; by strange women the wisest; by an adulteress the best of men in scripture chronology. Whence it is no wonder, if still he courts them; and every day he shews us what advantage he can make to himself of that subtle sex. A remarkable instance whereof I shall here present you with.

At Deptford in the county of Kent, at the sign of the King's-Head, for some time past, as a maid-servant in the house, there hath lived one Mary, who hath pretended herself, in her conversation, reserved and honest enough for one of her age, being thirty or thereabouts, till about seven or eight months past she used ordinarily to keep company with one Charles Parsons, a young man lately gone to sea, with whom she was observed to be somewhat familiar; insomuch that the neighbours looked upon her as either married to him, or at least as free of her favours as if she had; and in a little time her squeamish stomach gave her mistress cause to regard her more narrowly, and began to suspect that her sweet-heart had given her a belly full of love, as afterwards it proved but

\* This is the 504th Article in the catalogue of Pamphlets in the Harleian Library.

too true; for that, about the beginning of this last month of July, the same appeared so evident that none but observed it, and charged her therewith, much about the time that Charles Parsons left her, to pursue a voyage to the Indies; upon which, being no longer able to hide the same, she freely confessed that Hans in Kelder was then six months old, and that Charles Parsons was the father thereof, applying herself accordingly to his mother, and acquainting her that they were married, desiring her to assist her towards her lying-down.

The mother, suspecting the matter, began a little to demur thereupon, and enquire into the time and place, when and where the same was consummated; to which questions our said Mary returned a satisfaction; but yet the old woman, still doubting thereof, urged that she might produce her certificate; and that, if she found the same true, she would provide for her, and what she went with; which if she could not procure, she was resolved never to look on her.

This answer, put so close to Mary, began to make her look about herself, and set her wits upon the rack how she should deceive the mother, which at length she compassed, wit being then certainly readiest, when necessity is the strongest; but thinking as the old woman when she carried her dog a gossiping, that two heads were better than one, she was resolved to advise with a neighbour of her's that was her friend, and by name Margaret, the wife of a carpenter living hard by, how she should accomplish her intent, which after some time, remembering a story that had been told in the neighbourhood, how that two men, that had a design on a parson's wife, agreed to dress the youngest in women's cloaths, and accordingly to marry each other; thereby designing, by a liberal reward to the parson, to get an admission for the first night into the house to play the love-scuffle for the pretended wife's maiden-head; by which opportunity, whilst the parson was at his morning studies, the party who represented the wife, and was enamoured of the good man's bed-fellow, changed beds, and left her nominal husband, to enjoy the real wife; which the parson not at all suspecting, readily assented to, and ignorantly brought cuckoldom upon himself. Remembering I say this story, they consented with themselves, that two women might as well commit matrimony as two men, and in a different garb deceive the eyes of any who should be the spectators thereof.

Which design being thus agreed on, the carpenter's wife gets a suit of her husband's cloaths, in which she arrays herself, and sets to work (without her chief-tool) to act the man's part, practising her congees and dialect, to be perfect therein, against the day she designed to act the same, which soon after came about; and, having all things ready, away they trudged for St. George's church in Southwark, the carpenter's wife taking upon her the name of Charles Parsons, and representing him: They gave notice of their intentions to the clerk of the parish, that they desired to be joined in matrimony, which the minister and clerk, at first not at all suspecting them, already consented unto, but in the time of administering the ceremony they began a little to hesitate at what they were a doing;

imagining, by the softness of her tone, which she could not so well counterfeit, that she was not what she represented: and the rather when she was to answer to those words, I Charles take thee Mary, &c. she mistook the words, and cried, I Margaret; but thus she excused it, that she had been at the marriage of a sister of her's, who was then in her thoughts, and which occasioned the mistake, confidently averring herself a man, and, being of a large make and an impudent carriage, carried on and compleated the deceit. After which, the ceremony being ended, and the certificate a making, she drew the clerk aside, telling him, that true it was, dabbling with his said wife before marriage, he had got her with child, and that she was very forward, being near six months gone of her time; and, fearing that his wife's relations, and his own, might take notice of the date of the certificate to his disadvantage, desired that the same might be antedated, promising the clerk to reward him for so doing: which, after many importunities, he at last consented to; and, accordingly, dated the same about six months before. Having obtained which certificate, away they return for Deptford, and thought themselves now secure of their booty: so that the same day they repaired to the mother of Parsons aforesaid, and produced what she desired, the certificate beforementioned; which the old woman took into her own hands, beginning to think herself happy in her daughter-in-law, and that in a short time she should be blessed with a grand-child, rummaging her old chests for linnen to provide for clouts and other necessaries for the production of her great belly. Nor was Mary her daughter less glad at the success of her enterprise, it being what she thought would take off the reproach that was likely to succeed upon her, for the unlawfulness of her former frolicks; and likewise as to the establishment of her future fortunes. But this sunshine was not long before the same began to be overshadowed by the clouds, that soon after discovered themselves, in relation to her present circumstances.

For so it is, that most of the sex, though excellently well accomplished in the contriving a deceitful intrigue, yet is their humour such, that, when once they see the same to take its first promises of perfection, they are apt to brag of its effects, before the means are thoroughly settled, that lead to the ends thereof; and then most especially when the good wives are together toping their noses over the brandy-bottle, or hot-suppings, at a merry-meeting amongst themselves. And by such methods came this intrigue to a discovery; for, several of the neighbours being together, and talking of the change of Mary's condition, Mary and Margaret could not chuse but smile thereat, and lovingly called each other by the name of husband and wife, saying, that they knew a couple that had been six weeks wedded, and both as likely as any two in England, and yet neither of them had one bout since they were married.—One bout, replies an old woman, that is much; I would cut off the tool of that husband that should have a wife for two whole days and nights, and never put it to the exercise that God made it for.—Some rogue, I warrant him, replies another, to tantalise a wife after that rate.—Did I know the dull dog, pursues a third, I would

set him up for all our neighbours in Deptford and Greenwich, to make a publick pissing-post of.—Intolerable, says a fourth, a whole month and a half to put a poor wife upon longing, he deserves to be carbonadoed; and, were the good woman of my mind, if I pawned my petticoat that covered me, I would have some honest fellow to relieve me in what I most wanted, and make him do it before the rogue's face, that he might see and be satisfied he was what he deserved to be, the most notorious cuckold in Deptford:—and there are, says another, as many good crests, to my knowledge, in this town, as any place of its bigness between this and Gravesend.

The discourse between them being much to this purpose, the parties concerned fell out into a great laughter to see their neighbours in such a feud, and told them it was a truth; and scarce one in that company but knew the parties, and that they had conversed with them that day, which set them all upon the tenters, to know the person, every one guessing at his neighbour, and examining who it should be:—Well, says Margaret, as for that, in a few days, you shall be made acquainted therewith, but, for the present, left them to consider thereof; till, being further urged, she added, why may not two women be married together in Deptford, as well as Susan and Sarah at Fish-street-hill?

Upon this, some of the company began to suspect the matter, and told Mrs. Parsons of the discourse abovesaid; possessing her so far therewith, that she resolved to go and inquire at the church where the certificate had mentioned her son and supposed daughter-in-law to have been married; upon inquiry whereinto, the church-book was searched, and, at the day mentioned therein, no such persons were found to have been recorded; which further increased her suspicion, so that she, entering upon the description of the parties, and acquainting the clerk with her supposition, put him in remembrance of the late couple he had joined, and, turning to that time, found the same out; adding withal, that, ever since the said marriage, he had been highly suspicious of, and concerned within himself, at the cheat. The matter then appearing very plain, home goes the old woman, and discards her supposed daughter from her favour, alledging the falsity of her pretences, and declaring to all the neighbourhood how base a trick had been put upon her.

Insomuch, that it became the publick discourse of the whole town, and none but were talking of the seaman's mistress, that had married Margaret, the carpenter's wife; every one bestowing one twit or other upon her for the same, the young maids laughing at the flat sport they had the first night; the graver matrons at the impudence of the parties that should so vilify and disgrace the honest state of matrimony; looking upon it as a scandal to their sex in general. Upon all which, the parson, that married them, made a complaint thereof to the civil magistrate, who committed them both to the Round-house in Greenwich, and bound them over to answer the same at the next assizes, where Margaret hath been since bailed out, and Mary yet continues there.

A DIARY  
OF  
THE SIEGE OF LUXEMBOURG,  
BY  
THE FRENCH KING'S FORCES,  
UNDER THE  
COMMAND OF THE MARSHAL DE CREQUI;

*Containing a full Account of all that passed in the Siege and  
Surrendry of the Town.*

London, printed by J. G. for D. Brown, at the Black Swan, without  
Temple-Bar; and are to be sold by W. D. in Amen Corner, 1684.  
Quarto, containing fifty-six pages.

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**L**UXEMBOURG, the metropolis of the duchy, bearing the same name, is finely seated, commodious, of a great compass, and very strong; being also indifferently full of houses: the principal church is dedicated to St. Nicholas. There is besides, a very fair convent which, as it is said, the inscriptions also upon the walls thereof, testifying as much, was one of the first of St. Francis's order, built in his life-time. This town has undergone many misfortunes, having, upon all occasions of war, served for the butt, whereat fortune discharged her arrows. It was, in the year 1542, taken and plundered by the French, under the command of the Duke of Orleans, son to the great king, Francis the First. In the year 1543, it was again taken and plundered by the French, and was finally, on the fourth, of June, in this present year, 1684, brought under the dominion of the French.

The town of Luxembourg is built upon a rock, washed almost on every side, by a little river, called Alsiette, which comes from the south; and, having almost encompassed that place, continues its course towards the north. The part of the rock, invironed by the river, is exceeding steep, and needs no other defence but its natural situation; so that they have scarce built any fortifications on those sides. The side not invironed by the river, which looks towards the west, is fortified with four bastions cut into the rock, as is also the ditch, which is very deep. There are before these bastions, counter-guards, half-moons, and ravelins cut into the rock, as are also the ditches that cover them. Before all these works, there are two open ways, with their causeys; the first whereof is defended by four

redoubts of stone in the angles, bearing out from the counterscarp. This side which is not invironed by the river was the only place, whereby the town could be assaulted; all the rest being found too steep; and, of this side, the part attacked was the new gate, which is on the north, near the place where the river begins to turn away from the town.

The French army, commanded by the Marshal de Crequi, invested the place, April the twenty-eighth, 1684, N. S. Some days were spent in preparatives for the siege, and taking their quarters.

The head quarters were settled from the height of Bambuche, to the village of Merle; and there were quartered eight squadrons and battalions, with four companies of cannoniers. The quarters of the Count du Plessis, the Marquis de Genlis, and the Sieur de Joyeuse, lieutenant-generals, were thus ordered: the first, from Linsing, to the hill of the abbey of Bonnevoys, with seven squadrons, and eleven battalions; the second, from the same hill to the stream, which goes up towards the village of Hant, with five battalions; the third, from the river of Alsiette, as you go back again up to Hant, as far as the village of Homeldange, and there were posted eight squadrons, and six battalions. There were also quartered, in the bottom of Homeldange, two squadrons of dragoons of the Baron de Hasfeld, with two battalions of fugeliers, and the company of miners and gunners.

May the 6th. The Marshal de Crequi gave orders, to open their trenches.

The Count du Plessis, lieutenant-general, for the day, the Count de Broglio, Marshal de Camp, and the Duke de la Ferte, Brigadier of Foot, posted themselves between five and six in the evening, on the hills of our Lady of Consolation, with two battalions of Champaign, which had, at their head, the Bailey Colbert, colonel of that regiment, one battalion of Enguien, and one of La Ferte. The two first battalions marched in a bottom, behind the chapel, and two others on their left hand, upon the reverse of these hills. The Count de Talart, brigadier of horse, came upon the same hills, with the horse under his command, which were four-hundred, to guard the trenches, having before him two-hundred foot to make use of, in case the besieged should make any sally. At nine in the evening, they opened, about half a musquet shot from the counterscarp, a trench, parallel to the attacked side of the place, about five-hundred toises long, and this work was carried on two several ways, the one by the chapel, on the left-hand of the head quarters; and the other, on the side of Passendal, on the other side of the opposite place. The pioneers of the attack of Champaign carried on the work, from the right to the left, within fifty or sixty toises of the Chapel of Miracles, which is about a pistol-shot from the counterscarp; and those of the attack of la Ferte and Enguien, carried on the work from the left to the right; and these works met about the mid-way. The Sieur de Vauban, marshal of the king's camps and armies, who had been, at noon, to view the counterscarp, and who had the inspection over these two attacks, caused to be traced this night two batteries,

with lines of communication to the trench, upon a rising ground, about thirty or forty toises on this side the chapel, in respect of the besiegers. The Marquis de Renti, marshal de camp, made a false attack upon the height of the Fauxbourg of Gromp, or of the Basseville, with a battalion of Conde; the Marquis de Crenan made another, by the bottom of the abbey of Bonnevoys, with five-hundred detached men; and at the same time there was a battery traced upon the hill of Paffendal, where there was a battalion of Orleans, with a detachment of two-hundred men. The Prince de Conti, and the Prince de la Roche sur Yon, his brother, were present at the opening of the trenches, and passed the night there. The besieged, for above five hours, made not one shot, but about two, in the morning, they began to fire very briskly at us, with their musquets. There were not, however, above eight or nine of our men killed and wounded, which were of the regiment of Champagne. About break of day, they played also smartly upon us with their cannon, which yet had not any considerable effect. Some horse sallied out of the town, about four or five in the morning, but hastily retreated at the first firing of the detachments, which were commanded to shelter the labourers. They persisted, all that day, to play upon us, with their cannon, but still without much success. On our side, they continued to work on the batteries.

9th. There was a man stopped, who endeavoured to get into Luxembourg; and there was found about him a passport from the Marquis de Grana, dated August the twenty-eighth, with bills of exchange, for five and thirty thousand florins, payable in Luxembourg, and many letters in ciphers. We knew also, by the same way, that there were several officers who designed to get into the town, to join with their regiments there.

In the evening, the Marquis de Genlis, lieutenant-general for the day, and the Sieur de Josseaux, brigadier of foot, relieved the Count du Plessis, and the Duke de la Ferte, who had the right-hand of the great attack; and the Sieur d'Erlac marshal de camp, relieved the Count de Broglie, who had the left. Two battalions of Navarre relieved on the right the two of Champagne, and the battalions of Vaubecourt and Conti, at the head of which was the Prince de Conti, accompanied by the Prince de la Roche sur Yon, in the quality of a volunteer, relieved on the left that of Enguien, and that of la Ferte. The besieged, at the time we went to relieve the trenches, set fire to the houses of a part of the Fauxbourg of Paffendal; they quitted also a mill, which was but fifty paces from it, having prepared a mine to blow it up, in the belief they had, that our men would seize thereon; but we went not thither, and the mine sprang without the success they expected. During the night, we carried on a second trench, parallel to the first of the great attack, within sixty toises of the covered fore-way of the place; and the communications were made, without any of the workmen's being killed or wounded, although the enemy fired stifly upon them, with their musquets. The Sieur de Montmeillant, captain in the royal regiment, and the Sieur de Favigny, captain and aid major of Pied-

ment, and four or five lieutenants were slightly wounded. We continued also to work diligently on the batteries raised on the hills of our Lady of Consolation. The besieged, about break of day, played briskly with their cannon; but we had not above six or seven soldiers slain.

10th. Two of our batteries, of seven pieces of cannon each, began to play about eight in the morning with great success; and a battery of nine mortar-pieces, which had been put in order by the *Sieur de Vigny*, began about noon to cast its bombs against a platform of the bastion on the right; and we dismounted three pieces of a battery of four pieces, which the besieged had erected there, and from whence they fired very vigorously. The same day a battery of five pieces, which was upon the hill of *Bonnevoys*, began also to play. We raised one of two pieces upon the rising ground, which looks into the *Fauxbourg of Gromp*, and we continued to work upon one of fifteen on the hill of *Paffendal*; which was finished with the loss only of nine soldiers killed, and seven or eight wounded, with three or four officers.

In the evening, the *Sieur de Joyeuse*, lieutenant-general for the day, the *Marquis de Renti*, marshal de camp, and the *Sieur de Refuge*, brigadier of foot, relieved the *Marquis de Genlis*, the *Sieur d'Erlac*, and the *Sieur de Josseaux*, with the two battalions of *Piedmont*; the first battalion of *Auvergne*, and the first battalion of the royal *Roussillon*, which entered the trenches in the place of the two battalions of *Navarre*, and the two of *Vaubecourt* and *Conti*. In the night there was carried on a third trench, parallel to the second, about thirty paces from the first covered-way, which comprehended all the outworks of the attack. The besieged burnt this night the other part of the *Fauxbourg of Paffendal*; and fired also at us briskly with their muskets.

All the following day they played upon us with their cannon, and yet killed us but about seven or eight men, and wounded ten or twelve. The same day, viz. the 11th, the besiegers finished their battery of fifteen pieces, and with their cannon and bombs intirely ruined the platforms and defences of the bastion on the right.

In the evening, the *Count de St. Geran*, lieutenant-general, and the *Marquis de Nesle*, brigadier of foot, relieved the *Sieur de Joyeuse*, and the *Sieur de Refuge*, who were on the right hand of the great attack; and the *Chevalier de Tilladet*, marshal de camp, relieved the *Marquis de Renti*, who was on the left. The trenches were mounted on the right by two battalions of *Normandy*, who took the post of the two battalions of *Piedmont*; and the battalions of *Lyonnois* and *Turenne* relieved on the left the battalions of *Auvergne* and the royal. The trench, which comprehended all the outworks of the place, was carried on within twenty paces of the first open way. The *Sieur de Vigny* made a battery an hundred and fifty paces to the left, from the first he had made, to ruin with bombs the platform and batteries which were upon the bastion on the left. The lieutenant of the grenadiers of *Normandy*, a sub-lieute-



nant of Enguien, and nine soldiers were slain, and six or seven wounded.

The morrow, being the 12th, the other batteries were finished, and thirty-eight pieces of cannon, and fifteen mortar-pieces, began that day to play continually. The same day about noon, a cannon-bullet of the besieged's set on fire thirty bombs of the besiegers, which were on the *Sieur de Vigny's* first battery: seven gunners and two soldiers were killed, and there were six grievously wounded. The *Sieur de Caillemote*, second son of the *Marquis de Ruigny*, was wounded in the throat with a musquet-shot.

In the evening, the *Marquis de Lambert*, lieutenant-general, the *Sieur de Rubantel*, and the *Marquis de Crenan*, relieved the general officers which were in the trenches; two battalions of the marine relieved the post on the right hand, and two battalions of the queen's relieved the post on the left. During the night the besiegers lodged themselves on the causey of the covered-way; and there was a communication made from one lodgment to the other. The work was carried on at the attack of *Bonnevoye*, within thirty paces of the ditch, on the side of the gate of *Thionville*, where a battery of five pieces was raised. At the same time we advanced five of the great battery of *Paffendal*, for to batter on the reverse the bastion and outworks of the great attack on the left, and to beat down the gate of *Paffendal*. There was opened at the attack of *Gromp*, within twenty paces of the ditch, a trench, parallel to the front, which has upon one and the same line four towers, and which faces the hill of *Cromp*: we brought down the battery which was upon this hill, with a design to beat in pieces the gate of this *Fauxbourg*, and so to be able to dismount two pieces which were on a platform within an hundred paces on the right hand of this gate, and which much incommoded the besiegers. We seized on a church, within half a musquet-shot of the place, situated upon a rising ground between *Gromp* and *Paffendal*, the enemy not making any resistance. Fifty men were left there to keep it. There was this night a serjeant killed, with about ten soldiers, and twenty wounded.

13th. In the morning, a soldier of the place came into the camp. He told us, that the *Prince de Chimay* had been obliged to commit the defence of the outworks to the townsmen, and to draw the soldiers into the town, for fear of their running away. About noon the besieged sprang two little mines under a lodgment we had made on the right hand, upon the causey of the first covered-way: there were three soldiers slain, and about fifteen wounded.

In the evening, the *Count du Plessis*, lieutenant-general, the *Sieur de Gournay*, marshal de camp, and the *Sieur de Maumont*, brigadier of foot, relieved the general officers in the trenches: a battalion of *Bourbonnois*, one of *Humieres*, one of the *Crown*, and one of *Languedoc*, relieved those which were at the great attack. The *Marquis de Humieres*, only son to the *Marshal de Humieres*, was slain by a musquet-shot, which hit him in the head. About midnight, four parties of grenadiers, of ten men

each, had order to enter at the same time, by four several places, into the first covered way, to settle themselves therein, if they found not too great resistance; and to seize on a redoubt, called the Redoubt of St. Mary, which is between the two covered-ways: but, after they had borne a violent charge of musquets, grenadoes, and fire-works, they were forced to retreat, because this redoubt was revested in the same manner as the ditch, wherein there was a caponiere filled with musqueteers, and because there was no getting into it but by a gallery under ground, the end whereof joined to covered-way nearest the place.

Thus were we obliged to proceed along by digging as far as the palisadoes, whence we carried on a lodgment in the covered-way, which the besiegers extended on the right and left of the bottom of the ditch of the redoubt; and the miners, to overthrow it, wrought under the ditch. At the attack on the left, our men lodged themselves on the causey of the covered-way, whence was a communication made to the lodgment on the right. A lieutenant of the royal regiment was killed, with three serjeants, nine or ten soldiers, and five cannoniers; and a captain with about twenty soldiers wounded.

In the evening, the posts of the trenches were relieved by the Marquis de Genlis, Lieutenant-general, the Marquis d'Uxelles, Marshal de Camp, and the Duke de la Ferte, brigadier of foot, with two battalions of Champagne, that of la Ferte, and one of Orleans. There was finished, on the right-hand of the great attack, the lodgment in the covered-way, upon the brink of the ditch of the redoubt, where the miners could not easily go on, because of the rock they there met with. We brought on two pieces of cannon, endeavouring to break the communication of the redoubt with the second covered-way. On the left-hand of the attack, was sent forth a detachment of grenadiers of la Ferte, to see if the enemies had quitted the first covered-way on that side. They could not come to know it, because the enemies were there couched on their bellies, and, at the appearance of our men, rose, and obliged them to retire: ten of the grenadiers were slain, and two mortally wounded; the captain had his arm broken, and the sub-lieutenant was wounded: the Marquis de Genlis's aid-de-camp received a mortal wound, and two officers of Orleans were slightly wounded.

15th. Three fugitives from the place related, that the governor of the town, the Prince de Chimay, was that night wounded in the leg, and that the major was killed. That day we advanced two batteries, each of two pieces of cannon, for to batter a redoubt, which is near the two covered-ways on the left; and, in the mean time, we played the most advantageously we could from the batteries that were in condition, for to ruin the outworks and defences of the bastion on the same side: we seized also two redoubts on the back-side of Paffendal, which the cannon of the besiegers had very much damaged.

In the evening the guard of the trenches was relieved by the Sieur de Joyeuse, the Count de Broglio, and the Sieur de Josseaux, with the two battalions of Navarre, that of Vaubecourt, and that of Conti, in the head whereof was the Prince de Conti: The Marquis

de la Valette had, at the same time, his thigh broken by a cannon-shot from one of our batteries which had passed over the town. In the night, the besiegers made themselves masters of a third redoubt on the backside of Passendal. We carried on the lodgment, which was upon the causeway of the first covered-way, near fifteen toises to the right and left; and, in the midst of this advance, were raised two platforms, for to look backwards into the covered-way. The besieged fired fiercely all the night, but with little success. About five in the morning, they quitted the covered-way, and sprang a mine, which they believed must be under our lodgments; but it had not any effect. The besiegers took the advantage of an enforcement, which this mine had made near the palisadoes, and made use of it to lodge themselves there: but this design would not easily have succeeded, had not the Prince de Conti, by his presence and bounty, encouraged the soldiers, whom the fear of a second mine hindered from working. An engineer and four soldiers were slain on this occasion, and a captain of Navarre, one of Burgundy, the sub-lieutenant of the grenadiers of Conti, and nine or ten soldiers were wounded. We extended the lodgment which was on the brink of the ditch of the redoubt.

16. The besieged battered with much success the redoubt which was on their left, between the two covered-ways; and a mine, which had been made to open the ditch of that redoubt on the right, had all the effect they desired. The *Sieur de Court*, Major of Conti, was killed in coming down from the trenches. We have since the 16th ruined, with the great battery of Passendal, a traverse of stone, about six toises long, which was at the point of an half-moon, that covers the bastion on the left, to hinder us from looking between the opposite hills into the covered-way of the place; we likewise ruined, with the same battery, two towers which covered the gate of the tower on that side.

According to the last news, come from the siege, they continued to batter many little works full of earth, and in the confusion against this gate, the bastion, and the three redoubts, whereof ours had made themselves masters, and which flanked the reverse of the hills. The besiegers were resolved to set afterward the miner to the bastion, and they hoped to succeed easily therein, because there was no ditch on that side.

16. In the evening, the Count de St. Geran, lieutenant-general for the day, and *Sieur de Refuge*, brigadier of foot, mounted the trenches on the right, and the *Sieur d'Erlac*, marshal de camp, mounted on the left. Two battalions of Piedmont relieved those of Navarre, and two battalions of Auvergne, and the Royal, relieved those of Vaubecourt and Conti.

We carried on, during the night, to the mine, the trench which is on the brink of the ditch of the redoubt on the right, advancing towards the second covered-way; and we continued to batter a breach in the redoubt. On the left, we extended in the first covered-way to the lodgment which had been made there, and we wrought for the communication of the three redoubts, which are on the backside of Passendal. The enemy fired vigorously this night, and there

were nine or ten soldiers killed, and about twenty wounded. The same night we extended, at the attack of Grondt, the lodgment all along the ditch, and brought thither a battery of three pieces. There was not any new work made on the side of the attack of Bonnevoye.

In the evening of the 17th, the Marquis de Lambert, lieutenant-general, and the Marquis de Crenan, brigadier of foot, relieved the guard of the trenches on the right, with a battalion of Normandy, and that of Soissons; and the Marquis de Renti, marshal de camp, relieved it on the left with a battalion of Lyonnais, and that of Turenne.

We continued on the right to batter the redoubt, and to work through the mine, with a design to inclose it. We perfected on the left the lodgments and communications which had been made there, and we discharged abundance of cannon and bombs, to finish the ruining the defences of the attacked side, and the palisades which remained on the second covered-way. The besieged also fired fiercely during the night, and killed us about twenty soldiers, and wounded twenty-five or thirty, with four or five officers.

18th. In the evening, the Count du Plessis, lieutenant-general for the day, and the Marquis de Nesle, brigadier of foot, relieved the posts on the right with two battalions of the marine, and the Chevalier de Tilladet, marshal de camp, relieved the posts on the left with two battalions of the Queen's.

The redoubts of this attack are of very good stone, and every where cannon-proof. They have three stories of battlements, with a revested ditch, sixteen feet broad, and fourteen deep, in the revestment whereof are caponieres, which command round about. These redoubts have communication with the ditch of the place, and the covered-way, by three galleries under ground, built one upon another, of six feet in height, and four in breadth.

The Count du Plessis visited all the posts of the trenches. He sent to view the breach which our cannon had made in the highest story of the redoubts on the right, and to which the breaches of the mines made an ascent. We found no body there, and the Count du Plessis sent thither only six grenadiers and a serjeant, for fear there might be mines. They saw through the holes of the arches, that the enemies kept yet the lower story, and they cast grenadoes at them, but they were not sufficient to drive them away. The Count du Plessis caused bombs to be thrown at them, which yet dissipated them not, till they had had their effect, and he sent to charge them sword in hand.

At the same time, we carried on the mine-work to the galleries of communication from the redoubt to the ditch, and the covered-way of the place, and we lodged ourselves by this mining in the midst of the second cauceway. The enemies, perceiving the besiegers ready to pierce the communication, were afraid to be cut off without being succoured, and retired with so much precipitation through the middle gallery into their ditch, that they left many musquets, and some hats in the redoubt.

We rolled afterwards two great casks full of faggots into the second

gallery, notwithstanding the besieged fired furiously upon us from the gate; and, after two hours fight under ground, we set up a traverse to hinder their return to the redoubt.

The enemy did also the same on their side, to stop the progress of our workmen. They had prepared four mines at the four corners of the redoubt, but they could not set them on fire, because of the water, which was in the lowest gallery.

We continued to batter a breach in the redoubt on the left, to make a mine to open the ditch, and to inclose this redoubt by mining, as we had that on the right. We made a lodgment on the backside of Paffendal, the length of the traverse, and the face of the half-moon, within four paces whereof the works were advanced. But we were constrained to quit it by the abundance of bombs, grenadoes, and fireworks, which the besieged cast from the half-moon, and the covered-way. The communication of the two attacks was made during the night, notwithstanding thirty toises of the rock, which were between the two lodgments.

The same day, being the 19th, four miners were set to the attack of Grondt, from the gate unto the nearest tower: and they wrought with so much diligence, that in the evening they began to charge the mines. A captain of the Queen's, and two or three inferior officers were wounded; five or six soldiers were slain, and about twenty wounded.

19th. In the evening, the Marquis de Genlis, lieutenant-general, and the Marquis de Crenan, brigadier of foot, mounted the trenches on the right-hand with the battalions of Bourbonnois and Humieres, and the Sieur de Rubantel, marshal de camp, mounted on the left with the battalions of the Crown and Vermandois.

In the night we extended on the right the lodgment, which was upon the communication of the redoubt with the second covered-way, above five and thirty toises to the right and as much to the left. And this lodgment was in some places within twelve paces of the palisadoes. We perfected on the left the lodgment which was made to inclose the redoubt.

We had proceeded very slowly in battering it because we judged it not fit to finish the making a breach therein, before the miner, who was set to the exterior wall of the ditch, and who had required two days to open it, because of the rock he found there, was nearer finishing his work. There was made also a place of arms, capable to contain a thousand or twelve hundred men in the trench, which communicates with the two lodgments.

We re-established with great gabions along the traverse, as far as the point of the counterguard, the lodgment we had there the night before, and which we had quitted in the day. The besieged cast store of bombs and grenadoes, to hinder us from re-establishing it. The Count de Gasse, colonel of the Vermandois regiment, who supported the head of the work on the left, had there twenty grenadiers killed or wounded. The enemy cast an extraordinary number of grenadoes when we were got within an halbard's length of the angle of the second counterscarp.

20th. In the morning they sprang a mine, which they had under the two angles. That on the right overthrew twenty gabions, without hurting above two soldiers, and the damage was repaired in two hours, by the care of the *Sieur Lapara*, engineer. The mine on the left had not any considerable effect. The besiegers also at seven in the morning sprang the mine of *Grondt*; and it made a breach for six men to enter abreast. The grenadiers of *Languedoc* and *Burgundy* ascended first, with so much vigour, that they drove away fifty soldiers, which defended it, and made ten paces beyond the breach a lodgment forty toises long, notwithstanding they were fiercely shot at from the rampart, and the ravelin of *Grondt*. The captain of the grenadiers of *Burgundy*, and he of the grenadiers of *Languedoc*, two inferior officers, and thirty soldiers were wounded; and there were nine or ten soldiers slain.

About three in the afternoon, four soldiers of the besieged came into the camp; and they averred, that the besiegers had killed or wounded them since the siege above three hundred men: That *Captain Gregory*, a famous officer amongst them for commanding of parties, was killed, and not the major of the town, as the report went: That the *Prince de Chimay* made the women and children work upon the retirades; and that he was still resolved to make a vigorous defence.

20th. In the evening, the *Sieur de Joyeuse*, lieutenant-general, and the *Marquis de Nesle*, brigadier of foot, mounted the trenches on the right with two battalions of *Champagne*: and the *Marquis de Renti*, marshal de camp, mounted on the left with a battalion of *la Ferte*, and one of *Orleans*.

We extended, during the night, a great line, which made the place of arms, from one redoubt to the other, and we put it into a condition to contain above three thousand men. On the left the lodgment, which was along the traverse, was continued to the middle of the face of the counterguard, notwithstanding the enemy fired all night briskly upon us with musquets, bombs, and grenadoes.

We began also a platform on the right to look backwards into the covered-way of the place, and there were seven or eight soldiers killed, and about thirty wounded, with two officers. The *Count de Tonnerre*, colonel of the regiment of *Orleans*, was wounded in the head.

21st. At three in the afternoon, the besieged quitted the redoubt on the left-hand, seeing that it was intirely inclosed by the works of the besiegers, and seeing also the great breach their cannon had made therein. They retired into the caponieres of the ditch of the same redoubt, and from thence fired fiercely upon those that were in it. The besiegers put two pieces in battery, to drive them thence.

21st. In the evening, the *Count de St. Geran*, lieutenant-general, and the *Sieur de Josseaux*, brigadier of foot, relieved the guard of the trenches on the right, with two battalions of *Navarre*; and the *Marquis d'Uxelles*, marshal de camp, relieved it on the left, with the battalion of *Vaubecourt*, and that of *Conti*, at the head whereof is the *Prince de Conti*.

About seven o'clock, the enemy sprang a mine between two lodgments, which the besiegers had upon the reverse of Passendal; but it neither killed nor hurt any body.

At nine the miner was put to the middle of the counterguard, which covers the bastion. The besieged, an hour after, sprang a second mine, on the same side. There were three soldiers killed, and six or seven wounded. Some time before we had discovered a mine in the redoubt on the right-hand, and taken out the powder. During the night, we brought a battery of seven pieces, within thirty paces of the counterscarp; and perfected the platform, and place of arms, which joins the two redoubts.

22d. At break of day, the cannon of the great battery of Passendal, fired by misfortune at the counterguard, and there were two miners killed, and three others wounded, with a lieutenant of the regiment of Conti, and three soldiers. Four soldiers of the regiment of Conti, animated by the presence and liberalities of the prince, who executes all the functions of a colonel, continued to work in the mine, whence many had been repulsed by the enemies fierce firing.

The miners found at nine in the morning a gallery in the wall of the counterguard, pierced with battlements, which flanked the reverse, and seized thereon. They found another underneath, which cut the counter-guard a-cross, and which gave us room to put ten miners into this last, to make therein as many branches, to the end, to cast a part of the earth into the ditch.

The enemy, having perceived the work of our miners, cast ineffectually great store of fire-works, and barrels full of powder, to drive them away, and to oblige the besiegers to quit the lodgment. The same morning the Prince de Conti caused to be attacked by a captain, who commanded sixty men of his regiment, a traverse, which the besieged possessed in the Fauxbourg of Passendal, fifty paces from their gate, for to go securely to fetch water at the river. The enemies were driven from this traverse, although they resisted very stoutly; and we seized on an outgate of the town, fortified with good towers.

About eleven in the morning, we knew, that the enemies had made many traverses within their counterscarp, and the besiegers, doing their utmost to hinder their finishing this work, made themselves masters of the first redan on the right, and that on the left.

The besieged endeavoured to drive them thence, with a shower of grenadoes and stones; but it was without any success, and they were also, in fine, repulsed by the great firing and extraordinary vigour of the besiegers.

During the guard, about twenty soldiers were slain, and there were four officers, one engineer, and forty or fifty soldiers wounded; at the attack of Grondt, during the night of the 21st, to the 22d, and all this day, the besiegers laboured to get ground on the right, leaving the ravelin on the left, and they brought cannon to ruin the communication of the gate with the castle, which they batter incessantly.

The Marshal de Crequi continues to visit and press the works,

and to give all the orders, necessary for advancing the siege, with all the vigilance and good conduct imaginable.

There arrive daily at the camp many noblemen strangers, whom curiosity, excited by the report, which is spread about of the beauty of this siege's works, and of the good order of the attacks, brings thither from all the neighbouring countries.

The enemies have done their utmost to endeavour the putting some succour into the place.

The Count de Valsassine, and the Duke de Bejar, undertook to get in at the head of four hundred reformed officers, and three hundred dragoons, and they came within three leagues of the place. But having learned, from the guides of the country, the disposition of our works, and that it would be impossible to execute their design, they retreated, and took their way to Bruxelles.

The works, which have all been conducted by the *Sieur de Vauban*, with such success, that they have hindered the enemy from making any sally, are in very good condition. They would have been farther advanced, had not the Marshal de Crequi, according to the king's orders, ordered the attacks with all the precautions, necessary to spare the troops, and moderate the ardour of our gentry.

May the 22d. In the evening, the Marquis de Lambert, lieutenant-general, and the *Sieur de Refuge*, brigadier of foot, relieved the posts on the right-hand of the trenches with two battalions of Piedmont. The *Sieur de Langallery*, marshal de camp, relieved the posts on the left, with one battalion of Auvergne, and two battalions of the Royal.

During the night, and the following day, our men wrought on the right-hand upon a battery of three pieces of cannon against the palisadoes of the counterscarp, for to batter the face of the bastion of that side, and that of the half-moon, which is on the left, and for to dismount a piece of cannon, the enemies had put there a little while since. We began also a battery of mortar-pieces behind the first battery, for to hinder the firing which the besieged made from the bastion and half-moon.

The two lodgments of the besiegers were lengthened, and there were finished two or three-and-twenty mines in the counterguard, to be made use of, when we should have seen the effect of three others; which had been made at the point of this counterguard. The enemies cast, during the night, a great quantity of grenadoes and fire-works upon the workmen, and into the first posts, for to retard the works. But, in the day, the besiegers fired so fiercely, that it hindered them from appearing to shoot; and the work went on without any opposition. There was made, at the attack of old Munster; a battery of mortar-pieces, for to endeavour to drive the enemies out of the third part, which was left them of the castle, and to make a lodgment there without much loss. At the attack of Grondt, the houses whereof the besieged had this night burnt, the works went still on; leaving on the left the ravelin, which they possessed, and pushing towards the gate of the castle of Munster, which was, in the mean time, continually battered by our cannon. The Marquis de Mont-



pesat was killed at this guard, this day, in the morning. We lost there an engineer, with ten or twelve soldiers; and there were two captains of foot, and three inferior officers wounded, with fifty soldiers.

The same 23d, in the evening, the Count du Plessis, lieutenant-general, and the Sieur de Morton, brigadier of foot, relieved the posts of the trenches on the right with a battalion of Normandy, and that of Soissons. The Sieur d'Erlac, marshal de camp, relieved the posts on the left with the battalions of Lyonnois and Turenne. In the night we extended, and perfected the two lodgments on the counterscarp; and we wrought to make the communication of the one with the other. The besieged sprang a mine under the lodgment on the left, but nobody was hurt by it, because our men were retired to free themselves from a very great number of grenadoes and fire-works, which the enemies cast there, during the space of two hours; we resettled ourselves there afterwards, much better than we were before. At six in the morning, the enemies pretended they would make a sally; but they durst not advance, having seen our grenadiers march towards them with great resolution. An hour after, the battery of three pieces of cannon began to play, and, at the same time, we cast store of bombs from the battery of mortar-pieces, which was behind it. The fifth of these bombs fell upon two or three thousand grenadoes, which were in their half-moon, and set them on fire. The fire was very great for above an hour; and we saw in the air abundance of hats and pieces of cloths, which made us judge, that many of the enemies were killed and wounded.

24th. Our men charged the mines of the counterguard, and we battered with two pieces of cannon, the caponieres, which are in the ditch, that runs along the right-side of this work. The great battery of Passendal continued to batter a breach in the face of the castle, which looks towards this Fauxbourg; and we continued also to cast therein store of bombs with good success. The besieged possessed no more of the counterscarp, but the redan, which covers the half-moon, and the two parties were so near one another, that the enemies, with hooks, plucked away our gabions and faggots, and drew them into their ditches: These great progresses began to shake the besieged. Two run-aways, come from the place to the camp, affirmed, That the colonels, and a part of the officers of the garison, spoke of capitulating, to preserve their soldiers; the besieged having then lost above six-hundred men, killed or wounded, by our bombs, or by shot from the trenches. These fugitives added, That the inhabitants, and the women, incessantly besought the Prince de Chimay to prevent, by a capitulation, the miseries whereunto they should be exposed, if they expected the last extremities. The besiegers lost, at this guard, the Sieur de Valorge, captain of the grenadiers of Lyonnois, with eleven soldiers; an engineer, two inferior officers, and about forty soldiers, were wounded. My Lord Howard, son to the Earl of Carlisle, who was a volunteer, was mortally wounded, as he was giving marks of a great courage.

In the evening, the Marquis de Genlis, and the Marquis de Nesle,

mounted on the right-hand of the trenches with two battalions of the marine; and the Count de Broglie mounted on the left with two battalions of the Queen's. In the night, the enemies fired very fiercely, to drive the besiegers from their lodgments, who yet failed not to keep themselves there. They made also an attempt against the miners of the counterguard, and were repelled, with the loss of some soldiers. The besiegers abandoned the attack of Grondt, after they had drawn thence their cannon. At the attack of the castle of Old Munster, we brought two pieces of cannon, wherewith we made a breach of twelve paces in the gate, which the besieged held; and we made two batteries of mortar-pieces, which continually cast bombs there. There were, at this guard, five or six soldiers killed, and about twenty wounded.

In the evening of the 25th, the Sieur de Joyeuse mounted on the right with Bourbonnois and Humieres; and the Marquis de Renty on the left, with the Crown and Vermandois. The besieged, at the beginning of the night, cast so great a quantity of fire-works, that the besiegers had no small difficulty to preserve the powder they carried to charge the mines. They had already burnt two of our soldiers, who carried some in bags. The besiegers began three covered-ways upon the reverse of Passendal, between the place and the three redoubts, for to go to the breach of the counterguard, when it should be made. They continued to batter a breach in the point of the half-moon, to ruin the caponieres of the ditch of the counter-guard, and to extend the mine-work to the right and left of the redan of the counterscarp, which the besieged were, in fine, obliged to quit. There were, at this guard, a captain of foot, and ten or twelve soldiers slain, and about twenty soldiers wounded.

26th. In the evening, the Count de St. Geran, and the Duke de la Ferte, relieved the posts of the trenches on the right with two battalions of Champagne, and the Chevalier de Tilladet relieved the posts on the left with the battalions of la Ferte, Conde, and Orleans; the battalion of Enguien went on the side of the castle. During the night, the besiegers finished the three ways, begun on the reverse of Passendal; they carried on the mine-work, as far as the bottom of the ditch of the counterguard; and they wrought at the descent of the ditch of the half-moon, in the point whereof, there was already a breach for two men to get up a-breast. There was not, however, any appearance of hazarding to get up by this breach, though it had been even greater, because we were assured, that there were mines there, and because it was but in the first envelope of the half-moon, which was double. The besieged sprang two mines in the last redan of the counterscarp; the first had not any effect, and the other killed three soldiers, and wounded nine or ten.

27th. In the morning, we finished the charging of the mine; and we made the powder be carried by soldiers, disguised like labourers; we made them be thus disguised, because we had, for some time, observed, that the besieged shot not much at the labourers, believing that they were countrymen thereabouts, whom the besiegers constrained to work. We employed ourselves diligently in closing the

mine, and disposed all things, with great care, for springing it the morrow-morning, and for mounting afterwards to the breach. There were ten soldiers killed, and about twenty wounded.

In the evening, the Marquis de Lambert, and the Sieur de Rubantel, relieved the posts of the trenches on the right with two battalions of Navarre, and the Sieur de Josseaux relieved the posts on the left with the battalions of Vaubecourt, of Conti, and Auvergne. During the night, according to the orders of the Marshal de Crequi, we made all the preparatives necessary for the attack, which was to be made the morrow-morning upon the counterguard; and things were disposed with so much prudence, that never any action was begun and continued with better order, less confusion, more constancy, and greater success. At break of day, the Marquis de la Freseliere put the batteries in so good a state, that the cannon of the besiegers played incessantly for two hours. The Sieur de Vigny caused also the batteries of the mortar-pieces to be ordered with so much care, that the bombs, which fell without discontinuation into the bastions, tormented the besieged. At the same time, the troops which were to be employed upon this attack, marched to the rendezvous, assigned them by the Marshal de Crequi; who, notwithstanding his indisposition, and an incision, which had been made in his leg the day before, caused himself to be carried to the head of the trenches, that he might there be nearer at hand to give his orders, and might put more life into what was to be executed. The grenadiers of Vaubecourt were destined to attack the right side of the counterguard of the bastion of Barlemont, after the mine should have had its effect, being seconded by the two companies of grenadiers of Piedmont, and by an hundred men of the regiment of Vaubecourt, which had, at their head, the company of grenadiers of the regiment of Auvergne. The grenadiers of Conti were commanded to attack a redan, ruined by our cannon, on the left side of the counterguard, being backed by two companies of grenadiers of Normandy, one of the Royal, and an hundred men of the regiment of Conti. The two companies of the grenadiers of Navarre were appointed their post on the left-hand of the attack of Conti, over-against the buttress of the bastion of Barlemont, being seconded by the companies of grenadiers of the marine of Bourbonnois, and of Rovergue, with an hundred men of that regiment. Each regiment, in a body, was to support its attack, except that of the grenadiers of Navarre, which was maintained by the battalion of Rovergue.

The labourers were ranked in three troops, with the engineers, to be ready to march when the detached troops should have seized on the breaches; and it was in fine resolved, that, as soon as the second mine was sprung, they should march by the ways which were shewn them. All things being thus disposed, about four in the morning, all the troops, that were at the foremost posts, were caused to withdraw from the trenches, to the end they might be out of the fall of the ruins, which the mine might make. The miners were also made go out of their hole; and there were left only the pikes, planted

with the colours, and some soldiers, to hinder the enemy from knowing the design of the besiegers.

28th. About seven in the morning, the mine was sprung, and its effect was very considerable. Nevertheless, the ascent of the counter-guard, and the other works, was so rough and difficult, that the detached men, who attacked at the same time, that the enemies might not have leisure to retrench themselves, were obliged to scramble, and thrust one another, to get to the top of the breach.

The troops being advanced to seize on the breaches, and make lodgments there, according as it had been proposed, those, which marched first, extended themselves under the bastion on the left, where were thrown at them a great number of grenades. The others, which followed them, extended themselves along the curtain, and the bastion on the right, at the foot of the breach; after which they ascended together with much order, to the top of the breach, to settle themselves there. But those, who advanced to the end of the curtain, which joins the bastion on the left, met with a vigorous opposition.

At the same time the enemy sprang two mines in this place, which obliged the commanded men to retire to preserve themselves; but, having presently recovered the right-hand of these mines with the other troops, they chased thence the besieged, and began on all sides to settle the lodgments, by means of abundance of faggots, which were incessantly brought thither. The troops, which were in the bastion on the left, to resettle themselves there, were disquieted by the grenades, which the besieged cast also from the side of the ditch. But we caused them to be driven by some officers and soldiers, as far as the wall, which is on the left, that goes down from the place to the ditch, and flanks the bastion of Barlemont, where they laboured to retrench themselves.

The besieged, in their retreat, set on fire a little magazine filled with bombs, grenades, and powder, whereby many of the besiegers were killed or wounded. Four companies of Spanish foot defended the counter-guard, and the other works, which are joined thereunto, were defended by detachments. They made so obstinate a defence, that our troops, though using their utmost endeavours, had, for half an hour, much difficulty to get possession of the top of the breach; the place of itself being very high, and the ruins of the mine not being solid enough to make it firm. But, after a fierce charge of musquets and grenades, our men so vigorously disputed the matter with the sword's point, that the enemy was, with much loss, driven from this post; and many Spaniards, who would not ask quarter, were cut in pieces. Some carried on, with an extreme desire of signalling themselves, went as far as the ditch of the place. The lieutenant of the grenadiers of Rovergue, followed by ten or twelve, bore up with great constancy, against the charge of forty masters; and the greatest part of the horse was killed, and the rest put to flight by help of the firing of the grenadiers, which were in the counter-guard. The commandant was also killed by the Count de Mailly, who went to meet him, having seen him advance his sword on high. Our men would have made a lodgment near the ditch, over-

against the right-hand front of the bastion; but the extraordinary firing of the besieged, which killed us some men, obliged them to take the resolution, to retire along the battlements of the wall. The besieged had placed three little pieces on the terraces, covered with trees, on the side of Grondt, having judged, that they should be attacked thereabouts; and the troops, which they played upon in the flank, were very much incommoded by them; as also, by the ordnance, which they had on the flank of the bastion, opposite to that of Barlemont. There was not for five or six hours any intermission of firing. We lost twenty or five and twenty officers, with about three-score and ten soldiers; and there were many wounded, amongst whom, was the Chevalier de Megrigny, and the Sieur de Marny, engineer. The captains of the grenadiers of Bourbonnois and Conti were killed. The Sieur de Sainte Marthe, captain of the grenadiers of Auvergne, and the Sieur de Castillon, captain of Navarre, were wounded. The Marquis Bourlemont, brother to the Duke d' Atri, was slain. The Duke de Choiseul was wounded with the shiver of a bomb, above the left eye, whereof he died some days after; and the Vidame de Laon, son to the Count du Roy, was wounded with a musquet shot through the body, both of them giving testimonies of a singular courage.

The Prince de Conti, and the Prince de la Roche sur Yon exposed themselves to the greatest danger, with a valour worthy their birth, and the last received on the stomach a blow with a stone. All the volunteers signalised themselves there, particularly, the Prince de Tingry, the Marquis de Crequi, the Count de Luz, the Count d'Estrees, the Marquis de Thiange, the Marquis de Nogent, and the Marquis de la Batie. The Duke of Grafton, and the Duke of Northumberland, his brother, and many other English lords, who came to the siege in quality of volunteers, signalised themselves on this occasion.

The Sieur de Vauban, marshal de camp, was one of the first in the counterguard, and gave there with his ordinary sufficiency orders, very beneficial for the security and continuation of the lodgments, which were made there.

All the foot, which were at this action, acquitted themselves very well of their devoirs; and many soldiers made themselves be taken notice of.

It was necessary, after the effect of the mine, and the lodgment built upon the counterguard, to make a descent into the ditch. The Count du Plessis, lieutenant-general for the day, undertook this care with all the success, that could be expected.

He made the ditch be viewed; he killed, or put to flight, all the enemies that were found before him; and afterwards caused the lodgments to be made, notwithstanding all the effects of the besieged, who cast, from above the bastions, a prodigious quantity of grenades, bombs, and fire-works upon the workmen and soldiers. He received, under the elbow, a blow with the glancing of a grenado, which made him for some time unable to stir it. He ceased not to continue present, at the work of the lodgment, till such time

as it was extended from the gate of the gallery of the counterguard, which leads to the ditch, as far as the bastion of Barlemont, which made fifteen toises. Two hours after, he put the miners to work in two places, one upon the right, towards the point of the bastion, and the other on the left, drawing towards the flank, the enemy not being able to incommode them.

The works were continued the 30th, and the 31st, with much success; and we will give you the particulars thereof, in the following relations.

May the 29th. In the evening, the Count du Plessis, lieutenant general, mounted the fifth time the trenches; and made the descent of the ditch, with very good success.

30th. In the morning, we attacked the third division of the castle of Old Munster; and made ourselves masters of it, after some resistance of the enemies. They soon quitted this work to retire upon the rampart, hoping, by their fierce firing, to hinder our men from lodging there. About two in the afternoon, a company of the grenadiers of Rovergue, one of Languedoc, and two of fuseliers, supported by a battalion of that regiment, wholly carried this castle. The besieged had raised behind the division a battery of three pieces. We could not go to them, above seven or eight abreast; and we were exposed to the shot of the place. Nevertheless, they abandoned this post, near half an hour before the besiegers came against it, and left there their cannon all charged. Our men made afterwards many winding traverses, to lodge themselves safely upon the brink of the ditch; where they extended themselves, as much as the groundwork could permit. An engineer, and fourteen or fifteen soldiers, were killed upon this occasion, and there were about forty wounded. About five, in the evening, the enemies quitted the half-moon of the counterguard, which they still held at the great attack. The general officers of the guard, having been advertised thereof, thought fit, before they seized this work, to send some men by the breach, which was at the point of the counterguard, to see whether there were no mines, and to open those, they should find there. There were happily discovered under the counterguard the trains of thirteen or fourteen toises of mines, which were all charged. We took thence the powder, and we detached workmen to make a lodgment, which exteriorly embraced all the parapets. We delayed to put people into the half-moon, till we had had time to search the mines, which was done the following night. We found there two pieces of cannon, which the enemies had left, and we judged thereby, that fear had made them retire from this half-moon. The Sieur Parisoc, Major of Cambray, engineer, was wounded with a piece of a grenado, on the stomach, as he was setting the miner to the bastion of the place.

30th. In the evening, the Sieur de Touse, lieutenant-general, the Sieur d'Erloc, and the Marquis de Nesle, relieved the trenches with two battalions of the marine, and two of the Queen's. We finished, during the night, a battery of two pieces of cannon, which had been begun upon the counterguard on the left; and we carried

on by the mine-work about twenty toises of a trench, drawing from the counterguard to the curtain, which is on the reverse of Paffendal.

31st. We continued to work to make the descent of the ditch; and to erect a battery of three pieces of cannon on the same ditch, which were to play with another battery of seven pieces, which had begun, in the morning, to fire briskly against a bastion, which remained before the besiegers, to hinder them, from entering the place. We wrought also, upon all that was necessary for the springing several mines, to the end, to give afterwards the assault, in case the enemies shewed no design to yield.

But the Prince de Chimay, knowing that the town was no longer defensible, and seeing himself pressed by the principal officers of the garison, and by the townsmen, to prevent the misfortunes, which befal a place, taken by assault, caused, June the 1st, a parley to be beaten, and demanded to capitulate. Hostages were soon sent on both sides, and all acts of hostility ceased. The Prince de Chimay desired a truce for some days, that he might send to Bruxelles, to represent to the Marquis de Grana the extremity wherein he was: he added thereunto some other requests; but the Marshal de Crequi thought not fit to grant him any of them. The truce was thus broken, and, the same evening, the besieged and the besiegers began to fire upon one another.

2d. We perceived a white cloth, whereby, the townsmen would declare, that they would no longer defend themselves, nor shoot any more. But the garison ceased not to fire at us with their musquets, all the night; and our men fired also briskly both their musquet and cannon, to answer them.

3d. The firing of the besieged diminished by degrees till ten o'clock, when they intirely left off to shoot and appear. They were above half an hour in this condition; and, in fine, seeing that the besiegers erected in the ditch a battery of four great pieces, they made appear at the attack, where the Prince of Conti was, some men who made a shew of desiring to speak. We could scarce make them leave firing on our side, that we might hear them. They said, that the besieged had beaten a parley on the side of the castle; and desired that we would not level our cannon. They were answered, that the besieged should beat the parley on the side where they caused the battery to be erected, and that they should cease working. They said, they expected a drum; in the mean time the work was discontinued, and, in fine, the drum arrived. He cried out, after he had beaten, that they had made this call to capitulate. Some time after the hostages were brought to the guard of the trenches, where the Prince de Conti was; and he sent them to the Marshal de Crequi, who sent also his into the town. The deputies arrived afterwards at the camp with the articles of capitulation, which the Prince de Chimay demanded. There was one in favour of the deserters of our troops, for whom the besieged demanded an amnesty; and another to obtain four pieces of cannon, which were not granted.

After many difficulties, the capitulation was, in fine, regulated and signed; the extract whereof follows.

*The Articles and Capitulation of the Town of Luxembourg.*

I. THE Prince de Chimay, governor, the intendant, the commissaries of the armies and provisions, the officers of the ordnance and of the troops, and all the garison, their families, domesticks, and servants, shall go forth of the town in full liberty, with their moveables and effects, and, without having their baggage visited, they shall be conducted by the passage of the Moule to Stoken, or the places thereabouts; and they shall not, in any sort, be molested by our troops for the space of four days; during which, they may take the way of Louvain, or of Malines, without being any way opposed.

II. The foot shall go out by the breach of the castle, taking their way by the gate of Paffendal; and the horse, artillery, and baggage by the same gate, or such other as the governor shall think fit, with arms and baggage, drums beating, trumpets sounding, colours flying, match lighted at both ends, ball in mouth, with two pieces of ordnance of brass, to wit, two demi-cannons; besides which, the Marshal de Crequi gave them two others, which make in all four cannons, and one mortar-piece, in respect to the Prince de Chimay, with their carriages, furniture, and ammunition, necessary for six charges for each piece; and, to this purpose, the besiegers shall furnish them with carts, horses, harness, and other things necessary for their carriage and remove.

III. There are granted three-hundred carts, and more, if need be, for the carriage of the baggage, malls, and effects, which can be removed.

IV. The garison shall not march above two leagues the day of their going forth, and three the day following. The commissaries, which shall be at the conduct, provide for their subsistence; and they may, at parting, take bread and meat for five days.

V. Concerning deserters.

VI. The prisoners shall be rendered on both sides without ransom; but those, which, have been rendered before this capitulation, shall not be freed from paying their ransoms.

VII. There shall be care taken of the sick and wounded which cannot be removed.

VIII. The spoils, already taken, shall be enjoyed by those that have them.

IX. The wives and widows of the officers and soldiers shall have liberty, if they will, to remain in the town.

X. The inhabitants shall enjoy all their franchises, as they were before the siege.

XI. There shall be granted six months to the officers and soldiers for to dispose of their estates,

XII. The military officers shall not be arrested for debt on the day of their going forth; but they shall give sureties and promises to pay.



XIII. The receiver, and commissaries of the provisions, shall not be searched.

XIV. The officers and soldiers of the besiegers shall approach no nearer the place than their works, till the day of the garison's going forth.

*Articles concerning the States of the Town.*

XV. There shall remain no other inhabitants, but those that shall make profession of the Catholick, Apostolick, and Roman religion.

XVI. Concerns the pretensions of the prelates, nobles, and deputies of the towns, representing the three estates.

XVII. The officers of the council, and others, shall continue in their offices.

XVIII, XIX, XX, XXI, XXIII, XXIV, XXV, and XXVI articles which concern the particular privileges of the country and territories depending on the Duchy of Luxembourg.

XXII. There shall be an agreement made with the Marquis de la Fresliere for the bells and metals which belong to the artillery.

XXVII. The officers and soldiers, which continue in the service of his Majesty's enemies, shall be subject to the pains appointed by the ordinances.

XXVIII. Orders the registering of the capitulation.

XXIX. The garison shall be obliged to go forth of the place on Wednesday the seventh of this present month of June, at farthest, by noon: and shall, at eight in the morning, put into the hands of the besiegers a gate, which shall be taken into possession by an hundred men of the ancientest regiments, near which the besieged may, for their security, put a guard: that, for the security of the garison, shall be given three hostages of equal condition, and the articles signed double by the Marshal de Crequi and the Prince de Chimay; and that the inventories of pieces of ordnance, provisions for war, and victuals, which are in the town, shall be faithfully delivered up.

According to this capitulation, the garison went out of the town, the seventh of this month in the morning, to the number of about twelve-thousand men, the Prince de Chimay marching at their head.

*A list of the Officers which have been killed, or wounded, during the Siege of Luxembourg.*

THE Marquis de Humieres, colonel of foot, killed.

The Count de Tonnere, colonel of the regiment of Orleans, wounded.

The Marquis de la Valette, brigadier of horse, wounded.

Volunteers killed.

The Marquis de Montpesat,

The Marquis de Bourlemont d' Anglure.

Volunteers wounded.

The Duke de Choiseul.

The Vidame de Laon.

My Lord Howard, son to the Earl of Carlisle.

These three dead of their wounds.

The Chevalier de Megrigny.

The Sieur de la Caillemotte.

*Of the Regiment of Champagne.*

Captains wounded.

The Chevalier de Mablanç.

The Sieur de St. Clement.

\_\_\_\_\_ Mablanç, the elder.

\_\_\_\_\_ Gasquet.

\_\_\_\_\_ Bousquetardon.

\_\_\_\_\_ du Plessis, aid-ma-  
jor.

Lieutenants killed.

The Sieur de Laval.

\_\_\_\_\_ Desmoulins.

Lieutenants wounded.

The Sieur de la Villette.

\_\_\_\_\_ Dandron.

\_\_\_\_\_ Tillieu.

\_\_\_\_\_ la Bastide.

\_\_\_\_\_ Bellies.

\_\_\_\_\_ St. Hippolite.

\_\_\_\_\_ Pradel.

\_\_\_\_\_ Beauregard.

\_\_\_\_\_ Dagare.

*Of the Regiment of Vaubecourt.*

The Sieur de Lispinay, cap-  
tain, killed.

Captains wounded.

The Sieur de Constaty.

\_\_\_\_\_ d' Arman.

\_\_\_\_\_ de Chaulnes.

\_\_\_\_\_ la Combe.

The Sieur de Beaulieu, lieuten-  
ant, killed.

Lieutenants wounded.

The Sieur de St. Franc.

\_\_\_\_\_ la Boissiere.

\_\_\_\_\_ Vendal.

\_\_\_\_\_ la Combe.

The Sieur de Bonvouloir, sub-  
lieutenant, killed.

*Of the Regiment of Anjou.*

Captains wounded.

The Sieur Durant.

\_\_\_\_\_ Extremos.

\_\_\_\_\_ Battinguant.

\_\_\_\_\_ de Maure.

\_\_\_\_\_ de Mont.

The Sieur Loumagne, lieute-  
nant, wounded.

*Of the Regiment of la Ferte.*

Captains killed.

The Sieur Menoux, major.

\_\_\_\_\_ Patigny.

Captains wounded.

The Sieur de la Rodie.

\_\_\_\_\_ Lanty.

\_\_\_\_\_ Nosce.

\_\_\_\_\_ St. Bonnet.

\_\_\_\_\_ d' Aubarede.

\_\_\_\_\_ Picquet.

The Sieur de Renoucourt,  
lieutenant, killed.

Lieutenants wounded.

The Sieur de Montefaux.

\_\_\_\_\_ la Vignerie.

\_\_\_\_\_ Choisé.

\_\_\_\_\_ Fumé.

*Of the Regiment of Navarre.*

Captains wounded.

The Sieur Dorignac, major.

\_\_\_\_\_ du Pont.

\_\_\_\_\_ la Harliere.

\_\_\_\_\_ Carbonnieux.

\_\_\_\_\_ Rieutor.

\_\_\_\_\_ Sormel.

\_\_\_\_\_ du Ribal.

\_\_\_\_\_ la Forest.

\_\_\_\_\_ Mossan.

\_\_\_\_\_ la Salle.

\_\_\_\_\_ Massillac.

\_\_\_\_\_ Castillon.

\_\_\_\_\_ Macaye.

\_\_\_\_\_ Desus.

\_\_\_\_\_ du Pre.

Lieutenants killed.

The Sieur de la Tourmelle.

\_\_\_\_\_ Puget.

\_\_\_\_\_ du Ham.

Lieutenants wounded.

The Sieur d' Orgeval.

\_\_\_\_\_ des Esarts.

\_\_\_\_\_ Carignan.

\_\_\_\_\_ Bevilliers.

*Of the Royal Regiment.*

Captains wounded.

The Sieur de Montmalian.

\_\_\_\_\_ Dorigny.

\_\_\_\_\_ Corbé.

\_\_\_\_\_ la Fuite.



*Lieutenants wounded.*

The Sieur de la Croix.

\_\_\_\_\_ Boulanger.

\_\_\_\_\_ du Beuil.

\_\_\_\_\_ Sainte-Maison.

The Sieur Paco, sub-lieutenant  
wounded.*Of the Regiment of Enguien.*The Sieur de Toury, captain,  
wounded.The Sieur de Bichot, lieuten-  
ant, killed.*Lieutenants wounded.*

The Sieur du Bouy.

\_\_\_\_\_ Ferrant.

*Of the Regiment of Piedmont.**Captains wounded.*

The Sieur d' Ormois.

\_\_\_\_\_ Tavagny, aid-major

\_\_\_\_\_ Chadigny.

\_\_\_\_\_ Chastre.

\_\_\_\_\_ Siccard.

\_\_\_\_\_ Merie.

\_\_\_\_\_ Sainte Marie.

\_\_\_\_\_ Dezers.

\_\_\_\_\_ Lamanon.

\_\_\_\_\_ la Fleur.

\_\_\_\_\_ Robert.

*Of the Regiment of Auvergne.**Captains wounded.*

The Sieur de Sainte Marthe.

\_\_\_\_\_ Rigal.

\_\_\_\_\_ Dargon.

The Sieur du Glost, lieutenant,  
killed.*Lieutenants wounded.*

The Sieur Loger.

\_\_\_\_\_ Breyne.

\_\_\_\_\_ Fournier.

The Father Almoner of the  
regiment.*Of the Regiment of Lyonnais.*The Sieur de Valorge, captain,  
killed.*Lieutenants wounded.*

The Sieur de Lavore.

The Chevalier de Raousset.

The Sieur Broccard.

\_\_\_\_\_ Saligny.

\_\_\_\_\_ le Normand.

The Sieur St. Jean.

\_\_\_\_\_ Pelou.

\_\_\_\_\_ la Tour.

\_\_\_\_\_ Chaudel, aid-major.

*Of the Regiment of Conti.*The Sieur de Gour, major,  
killed.\_\_\_\_\_ de Moreuil, captain,  
killed.*Captains wounded.*

The Sieur de St. Ange.

\_\_\_\_\_ St. Seve.

\_\_\_\_\_ Coulange.

\_\_\_\_\_ Marege.

\_\_\_\_\_ Romieu.

*Lieutenants wounded.*

The Sieur de Fenneton.

\_\_\_\_\_ Faruze.

\_\_\_\_\_ de Vaux.

\_\_\_\_\_ la Tour.

\_\_\_\_\_ la Semmerie.

\_\_\_\_\_ Bussi du Mine.

\_\_\_\_\_ du Peroux.

*Of the Regiment of Normandy.**Captains wounded.*

The Sieur de Lisle.

\_\_\_\_\_ Polignant.

The Sieur de la Roque-In-  
pugeade, lieutenant, killed.*Lieutenants wounded.*

The Sieur de Givresac.

\_\_\_\_\_ Langon, dead of his  
wounds.

The Chevalier Dus.

The Sieur la Martine.

*Of the Regiment of the Crown.**Captains wounded.*

The Sieur de la Forcade.

\_\_\_\_\_ de Pille.

*Lieutenants wounded.*

The Sieur de Novion.

\_\_\_\_\_ Malvoisin.

\_\_\_\_\_ Flusi.

\_\_\_\_\_ Charlet.

*Of the Regiment of Conde.**Lieutenants wounded.*

The Sieur de la Guezeric.

\_\_\_\_\_ Baumi.

\_\_\_\_\_ Canac.

\_\_\_\_\_ de Jean.

*Of the Regiment of la Chastre.*

Captains wounded.

The Sieur Milon.

\_\_\_\_\_ Boislandry.

Lieutenants wounded.

The Sieur Durant.

\_\_\_\_\_ la Salle.

\_\_\_\_\_ Perré.

\_\_\_\_\_ Brucaval.

*Of the Regiment of Turenne.*

Lieutenants wounded.

The Sieur de Larzac.

\_\_\_\_\_ Baltazar.

*Of the Regiment of Soissons.*

Captains wounded.

The Sieur de Farnanville.

\_\_\_\_\_ Mignare, de la Co-

lonelle, lieutenant, wounded.

\_\_\_\_\_ de la Borde.

*Of the Regiment of Bourbonnois.*

The Sieur Piblard, captain,  
killed.

\_\_\_\_\_ Dhiery, captain,  
wounded.

Lieutenants wounded.

The Sieur de Campersan.

\_\_\_\_\_ Baudouin.

\_\_\_\_\_ Salure.

\_\_\_\_\_ la Bruyere.

*Of the Regiment of Rovergue.*

Captains wounded.

The Sieur Daffesq.

\_\_\_\_\_ Fregere.

\_\_\_\_\_ Descombies.

The Sieur de Luzam, lieute-  
nant, killed.

Lieutenants wounded.

The Sieur de Monblanc.

\_\_\_\_\_ Bienfait.

\_\_\_\_\_ Valonne.

\_\_\_\_\_ Meunier.

*Of the Regiment of Burgundy.*

Captains wounded.

The Sieur de Belcastel.

\_\_\_\_\_ la Sibliere.

\_\_\_\_\_ Saint Vincent.

Lieutenants wounded.

The Sieur de Bourdesoulle.

\_\_\_\_\_ la Pauze.

\_\_\_\_\_ Maison-Neuve.

The Sieur la Fuye.

\_\_\_\_\_ Chircourt.

\_\_\_\_\_ du Coutroye.

\_\_\_\_\_ Ferrandiere.

*Of the Regiment of Vermandois.*

Captains wounded.

The Sieur de la Touche.

\_\_\_\_\_ Savigny.

\_\_\_\_\_ la Factiere.

Lieutenants wounded.

The Sieur Arnault.

\_\_\_\_\_ de Daix.

\_\_\_\_\_ Amiere.

\_\_\_\_\_ Vergense.

*Of the Regiment of Languedoc.*

The Sieur de St. Leger, cap-  
tain, wounded.

Lieutenants wounded.

The Sieur Olivier.

\_\_\_\_\_ St. Martin.

\_\_\_\_\_ Goviabat.

\_\_\_\_\_ Rouville.

\_\_\_\_\_ Langlois.

\_\_\_\_\_ Marelau.

\_\_\_\_\_ Marestan.

\_\_\_\_\_ Bonafaux.

*Of the Regiment of Hamilton.*

The Sieur de St. Geniés, cap-  
tain, wounded.

\_\_\_\_\_ de la Moline, lieu-  
tenant, wounded.

*Of the Regiment of Fusiliers.*

The Sieur Darquet, captain,  
killed.

Captains wounded.

The Sieur Paschal.

\_\_\_\_\_ d' Mouene.

\_\_\_\_\_ Rabar.

Lieutenants wounded.

The Sieur de la Vigne.

\_\_\_\_\_ de la Garde, dead of

his wounds.

*Of the Marine Regiment.*

The Sieur St. Franc, captain,  
killed.

*Officers of the Artillery.*

The Sieur de Chevigny, Pro-  
vincial Commissary, wounded.

\_\_\_\_\_ de Cavées, commis-  
sary of the artillery, slain.

*Commissaries of the Artillery,  
wounded.*

The Sieur de Fleury.

\_\_\_\_\_ de Cret.

\_\_\_\_\_ Villedot.

\_\_\_\_\_ de la Loutardiere,

aid de camp.

*Captains of the Vessels wounded.*

The Sieur du Fort.

\_\_\_\_\_ Roquefeuille.

\_\_\_\_\_ Gruillon.

*Engineers killed.*

The Sieur de Chastillon.

\_\_\_\_\_ Perrault.

*Engineers wounded.*

The Sieur Parisot.

The Sieur Rouselot.

\_\_\_\_\_ d' Harmant.

\_\_\_\_\_ le Pautre.

\_\_\_\_\_ Racine.

\_\_\_\_\_ Grand Combe.

\_\_\_\_\_ Despagne, the young<sup>r</sup>

\_\_\_\_\_ Mace.

\_\_\_\_\_ Morin.

\_\_\_\_\_ Pauhome.

Father Maximilian, a recol-  
lect, wounded in the trenches.There were between four or  
five-hundred soldiers killed, and  
about seven-hundred wounded.The besieged lost above eight-  
hundred men.

## THE

## METHOD OF PASSING

## BILLS IN PARLIAMENT.

*Written by HENRY ELSINGE, Cler. Parl.*

Now printed from the original Manuscript, under these heads, viz.

1. Proceedings upon Bills. 2. The Commitment of Bills. 3. Manner how Committees are named. 4. Who may not be of a Committee, and who ought to be. 5. Council heard at the Committee. 6. A Bill recommitted: 7. The third Reading. 8. *Nova Billa.* 9. Amendments and Additions, or Proviso's added afterwards, how lawful. 10. Amendments of Amendments how lawful. 11. A Proviso added after a third reading, not usual. 12. A Proviso added by the one house, and desired to be taken by the other house, whether lawful. London, printed by F. L. for Matt. Gilliflower, at the Spread-Eagle and Crown in Westminster-hall, 1685. Twelves, containing thirty-six pages.

## PROCEEDINGS UPON BILLS.

*The first Reading.*

**T**HE clerk reads the bill, standing at the table, and then delivers the same, kneeling unto the Lord Chancellor, together with a brief of the bill.

The Lord Chancellor reads the title of the Bill, and then reports the effect of the same out of the brief, and concludes, this is the first time of the reading of this bill.

At the first reading, the bill is seldom now spoken against.

There are precedents to the contrary, *prout A. H. VIII. 11 de Parliamenti billa de actionibus*, brought from the Commons, *lecta 1 vice & Domini disputando censuerunt reformandum; quod regia majestas haberet 3 vel 4 annos, pars vero contra partem, nisi unum annum.*

And a bill hath been received at the first reading, *prout.*

*Anno 3 E. VI. 14 Nov. Billa pro jurisdictione episcoporum* rejected, and a committee appointed to draw a new bill.

The subsidy bill, and the king's general pardon, were used to be read but once, and so were expedited at the first reading.

Yet if a proviso be added to the subsidy bill, that hath been read three times, *prout.*

So if a proviso be added to the general pardon, that is to be read three times, *V. 3 E. VI. 1 Febr.*

*Anno 35 H. VIII. 4 die Martii 1 Vice lecta est billa*, concerning the king's majesty's award, between the Lord Dacres, and the heirs general of Sir James Strangwish the younger, *cui quidem billæ proceres assenserunt.*

Bills also have been committed at the first reading.

*Anno 6 Hen. VIII. 14 Febr. recepta est billa in papyro concernens apparatus, & lecta est jam primo, & deliberata Magistro Pigott reformanda.*

*Anno 1 E. VI. 21 Nov. allata est a communi domo billa*, for benefices, common preachers, and residence. *Quæ 1 vice lecta est, & commissa est Archiepiscopo Cant. Episcopis Elien. Dunelm. Roffen. & Lincoln. Marchioni Northampton. Domino St. John, Comitæ Arundel, Domino Admiral, & Domino Wentworth.*

*Anno 5 E. VI. 16 Febr. Hodie 1 vice lecta est billa*, to avoid regrating, forestalling, &c. *& commissa Magistro Hals, Magistro Molineux, Magistro Saunders, & Sollicitatori Regis.*

And there are very many precedents, that bills have been committed at the first reading, in the times of Henry the eighth, and Edward the sixth, as may appear by the committees of those times.

The like precedents I find in most of the journals of Queen Elizabeth, *prout, &c.*

*Anno 8 Elis. 3 Oct. Billa*, for the better executing of certain statutes, &c.

*Eodem Anno 5 Oct. touching fines and recoveries, &c.*

*Anno 13 Elis. 20 April. against fraudulent conveyances, &c,*

*Anno 14 Elis. 12 May. for preservation of wood, &c.*

*Eodem Anno & Die, for the punishment of vagabonds, &c.*

And so in many other parliaments of *Elis. &c.*

### *The second Reading.*

IN the same manner, the clerk reads the bill the second time, and delivers the same without a brief to the Lord Chancellor.

His lordship recites the title thereof only, and saith, this is the second reading.

Then if no man speaks against the bill, it is ordered to be engrossed, if begun with the lords; or to have a third reading, if brought from the commons.

If any doubt be conceived, which is often *pro forma tantum*, the bill is committed.

*V. inter ordines, &c. an. 18 Jacobi.*

Bills are commonly let pass at the first reading, and committed at the second.

Yet it appears by many precedents of Henry the eighth, and Edward the sixth, and Queen Elisabeth, that if the lords did apprehend any dislike or doubt in the bill at the first reading, it was then committed immediately, *prout antea*.

#### *The Commitment of Bills.*

AT the second reading, if the bill be required to be committed, the Lord Chancellor demands of the lords, how many of each bench shall be of the committee.

Which being agreed on to three, five, or six, &c. the earls are first named, then the bishops, then the barons.

The like order is observed in the naming of committees for any other business.

And if there be five earls, then five bishops, and ten barons; the reason whereof I know not. *Neque fuit sic a principio.*

*Anno 3 E. VI. 14 Nov.* the committees, to frame a bill for the jurisdiction of bishops, were the Marquis of Dorset, four bishops, and two barons.

*Eodem anno 2 Januarii*, the committee, sent to the Duke of Somerset, were, one earl, five bishops, and two barons.

*Anno 27 Elis. 4 Decemb.* the bill for the clothiers of Boxsted, &c. was committed unto three earls, one viscount, one bishop, and three barons.

*Eodem anno 3 Dec.* the bill for the landing of merchandise, &c. was committed unto eight earls, two bishops, and four barons.

*Eodem anno 27 Elis.* the first bill, for increase of mariners, was committed unto two earls, and six barons, and no bishops.

*Eodem anno 8 die*, the bill, for the sabbath-day, is committed unto six earls, one viscount, five bishops, and seven barons.

The precedents hereof are infinite, that no such order was observed to name a set number of each bench, or to double the number of barons until in the latter parliaments of our late King James: neither was this constantly observed, until the parliament of 12 *Jacobi Regis*, and afterwards. For in the fourth session of the parliament, *anno 1 Jacobi Regis*, sometimes the number of each is equal, and sometimes the barons are the greater number. But they seldom double the number of the other bench, unless in the committees of a small number.

But here may be a question (*viz.*) whether a bill may be committed by the orders of the house, if no lord move any doubt, or imperfection in the same?

And I am of opinion that it may not, neither is it necessary.

My reason is, for that I find many bills to pass without commitment, and some at the second reading in the times of Henry the eighth, Edward the sixth, and Queen Elisabeth.

But now the constant order is to read every bill, save the pardon, three times.

And the general voice, to commit the bill at the second reading, shews that the lords do conceive some doubt thereof, though none move any.

*The manner how Committees are named.*

THE number of each bench being agreed, they are named, *promiscue*, by any of the lords, but the clerk is to be careful to set down those whom he hears first named; which is done in this manner :

First, the earls are named, and those that sit on that bench.

The clerk having written them, stands up and reads their names:

Then the bishops, and then the barons, in like manner.

And, if the clerk happen to set down more than the number agreed on, it is in the liberty of the house to take out the latter, and so to leave the just number, or to admit them.

Then, the house names the attendants, which are of the judges, the king's learned council, and the masters of the chancery.

The clerk reads their names also.

The last is the time and place, where to meet; which being agreed on, and set down, the clerk reads that also.

*Who may not be Committees, and who ought to be.*

IF any lord speak against the body of the bill, he is not to be named of the committee of the same bill.

No absent lord is to be of any committee, unless officers of state, when the bill or business concerns their office. And, then, they are to be named, and to have notice sent them thereof.

*V. Anno 1 Jac. 14 Junii*, subsidy of tonnage and poundage.

That lord, which moveth any doubt, concerning the bill, ought also to be named, and to be of the committee, if he be present.

This is also a received opinion, and often in practice; and the clerk ought to be attentive, and hearken after the names of such lords.

The number of the committees being agreed on, named, and read the clerk delivers the bill, with a note of the committee affixed, unto the first of the committee then present.

The committees being met, though not all, yet if the better half, they may proceed.

*Anno 18 & 19 Jac. 30 Nov.* It is ordered that, if ten or upwards of any committee do meet, though not the one half of their number, they may proceed notwithstanding.

At the committee, the judges and other attendants do neither sit,



nor are covered, unless it be out of favour ; and then they sit behind, but are never covered.

One of the attendants reads the bill, and writes the amendments, if any, in paper, with directions to the places to be amended.

And, if any addition or proviso be conceived, he writes the same in paper also, with directions, where they are to be placed.

Any other member of the house may be present at this committee ; but they may not vote : and must give place to all of the committee, and sit below them.

If the business be not dispatched, at the first meeting, the committees themselves may appoint another day.

*V. An. 4 Jac. 26 Febr.*

But this must be done, before their departure.

*Council heard at the Committee.*

AT this committee, if it be a private bill, they will not only call both parties before them, but hear their council.

Wherein this order is observed, that the council, who speaks against the bill, is heard first, for it is already understood, what the bill desires.

And either part may desire to have their council heard in the house ; which, being reported by the committee, is so ordered.

There also the council, against the bill, speaks first.

And, for publick bills, council is also heard, if any oppose it.

And, if a publick bill concern any officer, corporation, or particular person, or any artificers, they are usually sent for to attend the committee.

*The Bill reported by a Committee to the house.*

THE committee, or greater part, being agreed, what report to make to the house.

The first of the committees, that was present, makes report thereof standing, and uncovered, with the bill in his hand.

And all the rest of that committee, then present, stand up, and are uncovered ; whereby, they signify their assent unto the said report.

The report being ended, he delivers the bill and the amendments, addition and proviso, if any, unto the clerk, who goes from his seat, and receives the same from his lordship.

If the report be for the bill to sleep, it is so ordered and entered by the clerk in the journal book, and endorsed on the bill also.

If amendments, additions, or provisos be reported, when the house orders the same to be read, they are read on this manner, by the clerk, viz. The amendments of the bill, &c. reciting the title thereof, or the additions or provisos to be added to the bill, &c. And so reads the same, as they are in the paper delivered by the committee.

Then, the clerk delivers the same, kneeling, unto the Lord

Chancellor, having first endorsed on the amendments, &c. 1 *Vice lecta*.

His lordship first reads the title of the bill. Then that the same is returned by the committees amended thus, viz. In such a line between such a word and such a word insert these words, &c.

Or, in such a line, put out this word, &c. and saith further, before it was thus, and now it is thus.

If additions and provisos are only reported, and no amendments, then, his lordship first recites the title of the bill; then, that it was committed and returned with such or such additions, or provisos, and so repeats the effect thereof briefly.

This being done, the Lord Chancellor demands whether their lordships be pleased, that their amendments, &c. shall receive a second reading? and, if so agreed on,

The clerk receives the bill, with the amendments, &c. of his lordship, and reads the same again, and endorseth on the amendments, &c. 2 *Vice lecta*.

And, kneeling, delivers the same unto the Lord Chancellor again.

His Lordship reads the same, thus:

First, recites the title of the bill, then, that it hath been committed and returned with amendments, &c. the which amendments have been twice read. And demands their lordships pleasure, if the bill began above, whether the bill shall be engrossed with the said amendments, &c. or no? and, if answer be made affirmatively, and no lord speak against it; then it is so ordered to be done; and the clerk receives the bill again, and endorseth on the said amendments to be engrossed; if the bill be sent from the commons, then the Lord Chancellor demands their lordships pleasure, whether the said bill, and amendments, &c. shall be read the third time or no?

At the second reading, any of the committee may speak against the body of the bill, or against the amendments, &c. before they be engrossed. *V. an. 39. Elis. 24 Jan.* This was debated, but not then determined. But *an. 43 Elis. 12 Nov.* it was resolved by the house.

#### *Recommitted.*

THE bill being thus reported by the committee: if any doubt be moved, and the house think good then, before the amendments be ordered to be engrossed, or ordered to have a third reading, the same may be recommitted, either to the former committees only, or to the same and others.

If the committee find the bill so imperfect that it can hardly be amended,

Then they may, without further order from the house, frame a new bill.

Which is most commonly done, by one of the attendants.

This new bill being agreed on and returned with the old bill to

the house, and the cause thereof reported by the committee, the old bill sleeps.

And the Lord Chancellor demands of the lords, whether they be pleased, that the new bill shall be read or no? Which is done accordingly.

If any doubt be conceived of the new bill, the same may also be committed, as the former was recommitted.

Or, after the second reading, the House may order a third bill to be framed. *V. an. 1 Jacobi 4 Junii*, Recusants: but, after the third reading, this is not now done.

### *The Third Reading.*

THE clerk first reads the title, and then reads the bill, and delivers the same to the Lord Chancellor, in manner, as before, having first endorsed 3 *An. V. lecta.*

His lordship repeats the title only, and says, This is the third reading of this bill.

If no lord speak against it, then his lordship demands, whether he shall put it to the question? Which being agreed on, or not denied,

The question is thus:

Such of your lordships, as are of opinion, that this bill is fit to pass, or shall pass, say, content.

They, which are of another opinion, say, not content.

Then, the lowest baron begins, and saith, content, or not content, without any more words. And so they proceed in order to the first baron.

Then the bishops.

Then the viscounts, and earls, and those that sit on the earl's bench, in like manner.

The lord chancellor, or lord keeper, if he be a baron, earl, or bishop, removes to the first place, on the earl's bench, and giveth his voice, content, or not content.

The prince, if present, speaks last; if any doubt be of the most voices, then, one lord who said content, and another lord, who said, not content, are appointed to number them by the poll, which they do in this manner:

They go together to the baron's bench, and every lord, who said, content, stands up. Then the bishops and earl's bench, in like manner.

Then, they return again to the barons bench; and every lord, who said, not content, standeth up; and so of the bishops and earls.

And, according to the relation, it is agreed, whether content, or not content, had the more voices.

And the bill doth pass, or is rejected accordingly.

This order is observed in all questions.

Upon examining of the votes, the proxies of the absent lords may be demanded, and such lords as gave their own vote, with the question, may give his proxies against it, *prout*.

*Nova Billa.*

**I**F the bill began below, be committed, and a new bill brought in by the committee,

When the same is past by the lords, it is to be returned to the commons, together with the old.

Hereof are many precedents, *temporibus H. 8. E. 6. Elis.* And one 4 *Jac. 27 May. pro comite Darby.*

So likewise the commons are to do, if they make a new bill.

But, if the commons send up a new bill, and the lords read the same, and reject it, the commons cannot send up another bill of the same argument, in the same session; *V. An. 3 Jacobi 27 May. Purveyors.*

If the lords pass a bill, and send it to the commons, and they reject the same, without conference with the lords, they cannot send up a new bill of the same argument, in the same session; *V. An. 29 Eliz. 22 Martii*, Handford's Bill. But note this new bill was sent up without the old, otherwise, I conceive, it had been according to order.

And I suppose the reason to be, for that the lords will not proceed in a new bill, before they understand what is become of the old, which they formerly passed: nor unless they may also have by them the former bill.

And therefore, either a conference, or the old bill to be returned, is necessary.

The same order is observed, if the commons send up a bill to the lords.

*Amendments and Additions, or Proviso's added afterwards, how lawful.*

*V. An. 27 Elis. Decembris 17.* The commons sent up a bill, for the sabbath-day, to the lords, who passed the same with amendments, and so returned it to the commons: they sent it back to the lords, with new amendments, who rejected the same as against order.

It seems the commons had some conference with the lords concerning the same; for afterwards, in the same parliament, the third of March, it is thus entered, *viz.*

*Memorandum*, That this day were chosen for committees, to examine the record touching passing amendments of amendments, moved to the same by the lower house, the Lord Treasurer, the Earl of Sussex, the Viscount Mountague, the Bishop of Winchester, the Lord Hunsdon, the Lord Buckhurst, the Master of the Rolls, and Mr. Attorney, about the bill for the better observing of the sabbath-day.

The precedents they named were the bills for treasons, and bringing in of bills, acts passed *Anno 13* of the queen.

But these precedents appear not in the journal of the upper house.

It should seem, that the lords were then satisfied, and signified the same unto the commons; for afterwards, 6 *Martii*, the commons returned the same again with amendments of amendments, which the lords publickly read three times, and passed the same.

*Vide* the journal of the lower house, 22 *Febr.* fol. 97 & 99. That the commons desired the lords, that search might be made in the upper house, for precedents touched by them of the lower house, and reported by the committee. That, upon search of precedents, their house might add to the lords former additions to a bill *pro billa sabbath-day*. *Vide tamen anno 39 Elis.* 14 *Jan.* The lords having returned to the commons their bill for houses of correction with amendments and proviso's, the commons prayed a conference touching the said amendments and proviso's.

The lords yielded to the conference thus far, to satisfy the commons what moved their lordships to make those amendments, with this caution, that nothing can now be altered by the order of this house.

Amendments upon amendments were very usual in the times of H. VIII. and Queen Mary, *prout an.* 32 H. VIII. 2 *Jul.* & 5, 12, 19, 21, 22, & 24 *Jul.* *Billa annexorum honori de Petworth.*

*An.* 32 H. VIII. 1 *Martii* & 4, 5, 6, 10, & 18, *Martii billa concerning the first articles.*

*An.* 35 H. VIII. 4 *Martii*, &c.

*Billa* for the Lords Decrees.

*An.* 37 H. VIII. 27 *Nov.* &c,

*Billa pro Custode Rotulorum*, &c.

*An.* 6 H. VIII. 15 *Martii*, & usq; 3 *April.* *Billa Ducis Suff.*

*An.* 4 & 5 *Phil.* & *Mar.* 18 *Febr.* &c. *Billa* for Musters.

*Anno* 31 H. VIII. 10 *Junii*, The bill for the first articles is sent to the commons, 14 *Junii*; it is returned with a proviso, and expedited, 16 *Junii*: and 21 *Junii*, the lords and commons agree to some amendments. Afterwards the 27 *Junii*, the lords agree to another proviso, and send it with the proviso to the commons, 28 *Junii*, who returned the bill expedited the same day in the afternoon.

*Anno* 37 H. VIII. The bill for the *Custos Rotulorum*, returned from the commons with a proviso, rejected by the lords, and sent back to the commons, and returned by them expedited, without the proviso, 16 & 18 *Decembris*.

*Anno* 4 *Jac.* 29 *Junii*, The lords having returned to the commons their bill of hostile laws, with amendments, and a proviso, the commons prayed a conference for consideration thereof.

At the conference they moved, that they may clear their doubt of the said amendments and proviso, either by amendment, or by another proviso; of which kind of proceeding, they affirmed they had good precedents of former times in like case.

And, accordingly, they did amend the same: and the lords passed the bill after the third reading thereof. *Vide ib.* *Junii* & in *pomefidiano*,

*Amendment of the Amendments, how lawful.*

THE amendments of a bill coming from the commons, as hath been said, are to be written in paper, and to be inserted into the bill by the commons, at the return thereof unto them. And if the commons do think fit, that those amendments be amended, they are to signify so much to the lords, and to move their lordships to amend their own amendments, before the same be inserted in the bill. *Vide* the journal of the lower house. *Anno* 27 *Elis.* 10 *Martii*, fol. 132.

Divers lords were of opinion the last parliament, *anno* 18 & 19 *Jac.* that a bill might be amended after the third reading.

But, in the same parliament, 27 *Novembris*, in the bill for suits, and 1 *Decembris*, in the bill for monopolies, it was agreed, *per plures*; but the question for it was denied, that it was against the orders of the house to recommit a bill after the third reading.

Yet it was agreed, that a bill might have a small amendment after the third reading, with which agreeth that *anno* 27 *Elis.* 13 *Martii*. In the bill for provision to be made for the queen's royal person, &c. which was thus amended after the third reading, and before it was put to the question, *viz.* in the 24th line, after this word (left) put out (so as) and in place thereof put in (foreseeing that). And such small amendments are usual after the third reading. *E. IV.*

*A Proviso added, after the Third Reading, not usual now.*

*ANNO* 35 *Elis.* 9 *April.* A saving of the queen's right, and all men's right, added to the bill for repealing of certain uses, and concerning the lands of Anthony Coke, Esq. was added to the bill after the third reading and question.

This bill was sent up by the commons, 28 *Martii*, & 6 *April.* it was read the third time, and expedited. The saving was added, the 9th of April, with this caution, that the lords, upon weighty considerations, have ordered, that this shall not hereafter be drawn to make any precedent. Then the bill was returned to the commons, who sent it up the same day expedited.

According to this order of *anno* 35 *Elis.* the house hath forborne to add any thing to the bill after the third reading *prout.* *Anno* 3 *Jac.* 13. *Martii* 3 *Vice lecta est Billa*, for the establishing of the possessions of Edmund, late Lord Chandois of Sudley. And ordered, that the Lady Chandois shall give security for the payment of seven thousand pounds to her daughter Catharine, before the bill be sent to the commons; for that the same is not sufficiently provided for by the bill.

15 *Martii*, this is referred to Mr. Justice Tanfeild, and Mr. Justice Crook, and they to acquaint the lord committees that were named on the bill with the cause by them advised on: that the lords might proceed for the security, as they should find cause.

27 *Martii*. This bill, with others, is sent down to the commons, with a recommendation from their lordships, to be had by them touch-

ing assurance to be given for the said portion, which was not remembered to their lordships until the bill was passed this house.

But this order was not thus nicely observed, *tempore H. VIII. Anno 6. H. VIII. 1 Martii, billa concernens debita regia lecta est 3.*

3 Martii lecta est 4, & domini deliberabunt.

15 Martii lecta est 5.

16 Martii lecta est.

20 Martii lecta est, & domini deputaverunt principalem justiciorum & ad confiniendum quendam effectum pro securitate regia pro debitis suis obtinendis.

Here it appears, that, at the third reading, the lords not being agreed, the bill was read again the fourth time, yea, and the sixth and seventh times, and at last the lords appointed a new bill to be drawn.

There are many precedents that bills have been read oftener than thrice in that king's time, and of E. VI; by which it appears, that bills might then be recommitted after the third reading. *Vide* my collection of those times, which I will not here relate; for that it is now constantly observed to read bills but thrice.

*A Proviso added by the one House, and desired to be taken away by the other House, whether lawful.*

THIS was usual in former times, yet in the parliament 21 Jac. 21 May. the lords having returned unto the commons their bill for ease of pleading of license of alienations, &c. with a proviso, the commons misliking of the proviso desired a conference, and moved to have the proviso taken away; and, some doubting and others affirming that this could not be done by the orders of the house, the commons framed a new bill to that purpose, without a proviso, and sent it up to the lords the next morning, and with it returned the old bill, and the lords passed this new bill.

*Anno 3 II. VIII. 24 die Parliamenti billa concernens coriarios lecta est primo, &c. sent to the commons, &c. 29 die parliamentum assentitum est, dempta additione.*

*Anno 6 H. VIII. 31 die Martii billa Ducis Suff. remissa est in domum communem, & duas provisiones eidem prius per communes annexæ abstrahuntur, & eodem die recepta est, ablatis provisionibus prius annexis.*

*Anno 1 & 2 Ph. & Mar.* The bill for the supremacy of Rome, 4 Jan. a proviso added by the commons misliked, a new bill made, and the old taken away by the commons, at the lords request.

*Anno 4 & 5 Ph. & Mar.* The bill of musters; returned from the commons with two proviso's, and sent back to have them taken away, and returned again, with certain corrections mentioned in a schedule, expedited 4 & 6 Martii & prout M. 6 May.

AN ACCOUNT\*  
OF  
THE MANNER OF TAKING  
THE LATE DUKE OF MONMOUTH, &c.

*By His Majesty's Command.*

London, printed by B. G. for Samuel Keeble, at the Turk's Head, over-against Fetter Lane, in Fleet Street, 1685. Folio, containing four pages.

**I**MMEDIATELY after the defeat of the rebels at Bridgewater, on Monday the sixth of July instant, the late Duke of Monmouth, late Lord Grey, and the Brandenburg fled; and, coming between Gillingham and Shaftsbury, got a guide to lead them the way to the New Forest, most free from towns and watches; he led them by White-Sheet, four miles east of Shaftsbury, and thence by Cranborne-Chace: where, their horses being tired, they let them loose, and hid their bridles and saddles.

In the mean time, the news of the said defeat coming to the Lord Lumley, then posted at Ringwood in Hampshire, with three troops of horse of Colonel Stapley's regiment, commanded by Major Bridger, Captain Monk, and Captain Peckham; and four companies of foot, of Colonel Alford's regiment, commanded by Lieutenant Colonel Cooper, Captain Bickely, Captain Best, and Captain Carre, all of the Sussex Militia, his lordship was pleased to send his scouts every way to take up suspected persons; and Sir William Portman, for the same end, had taken care for strong watches to be set, made up of his yellow-coats and others, on the roads from Poole to the most northern parts of Dorset.

Upon the seventh instant, about five in the morning, some of the Lord Lumley's said scouts (riding in the road, near Holt-Lodge in Dorset, four miles west of Ringwood) just at the turn of a cross-way, surprised and seized two suspected persons, which, when the Lord Lumley came up, proved to be the late Lord Grey and the said guide: this put the Lord Lumley upon a strict examining of the cottages, with which that heathy country abounds, and calling in the neighbourhood, that were acquainted with the country, &c. Notice of this being brought to Sir William Portman, by some of his watches, &c. he hastened to the place, with as many horse and foot as he could of a sudden get together.

It happened, upon the Lord Lumley's enquiry amongst the cottages, that a poor woman, one Amy Farront, directed his lordship to a

\* This is the 299th Article in the Catalogue of Pamphlets in the Harleian Library.



hedge, where she had seen two men go over; which hedge proved to be part of the out-bounds of very many inclosed grounds, some overgrown by fern and brakes, and others sown with rye, pease, or oats, &c.

Whereupon a strict guard was put very near one another, round those out-bounds, whilst other foot and horse did beat within. These guards kept their several posts so well, that, though the late Duke and the Brandenburg attempted, at least thirty times, to make their escape out, yet they always found each guard ready; and, upon their last attempt to escape, two of the troopers, firing on them, made them immediately to retire, and hide themselves a-part from each other, in some of the adjacent ditches, where they were afterwards found.

Upon the eighth day, by five of the clock in the morning, the Brandenburg was found; who, upon examination, confessed, that he parted with the said late duke, within the same out-bounds, about one of the clock that morning: whereupon, every individual person, being encouraged thereby, and by the hopes of having a share in the five thousand pounds (as was before agreed on in the field) did renew the pursuit of him with the strictest search and diligence imaginable; and, about seven of the clock of the same morning, one Henry Parkin, servant to Samuel Rolles, Esq; happened to discover the said late Duke hid in a ditch, covered with fern and brakes, and, calling to two of the Sussex troopers that were by him, all three seized him together: Sir William Portman, happening to be near that place rid presently in, and quieted those that cried, Shoot him, Shoot him! He laid hands on him, as his prisoner, and so preserved him from all violence and rudeness; and immediately, in the same instant, the Lord Lumley came in, and agreed, that Sir William Portman should search him; which was done, and, as soon as they had found his George, they dispatched that, with the news, to his Majesty, by Captain Bickely and Mr. Chaldecot, Sussex and Dorset gentlemen.

The prisoners, after this, were kept two nights at Ringwood. On Friday, the Lord Lumley discharged the foot there, and, with the said three troops of the Sussex horse, and one troop of the Dorset militia, commanded by Captain Fownes, they were conveyed to Winchester, where joined them two troops of his Majesty's in pay, and two of the Northampton militia troops; all which conducted them to Farnham Castle upon Saturday the 11th, and the next day to Guilford, and upon Monday the 13th to Vauxhall, where a regiment of the Lord Dartmouth's received them, with other troops of his Majesty's in pay, and thence, by barge, they were carried to Whitehall.

The papers and books, that were found on him, are since delivered to his majesty.

One of the books was a manuscript of spells, charms, and conjurations, songs, receipts, and prayers, all written with the said late duke's own hand.

Two others were manuscripts of fortification and the military art.

And a fourth book, fairly written, wherein are computes of the yearly expence of his majesty's navy and land forces.

And, as for his gold, only twenty guineas were given to the said Parkin, and ten guineas a-piece to the two troopers that first seized him; and the rest was returned to the said late duke.

As the prisoners passed through Rumsey, Winchester, Farnham, and Guilford, one would admire to see the very great numbers of the militia, with the deputy lieutenants, and gentlemen of those parts, that were ready to guard them, and take off the fatigue of such as were on the march.

Within doors, none but commission officers were trusted to watch by them; and, besides those, the Lord Lumley and Sir William Portman took their turns to watch in person, night and day, from the time of the taking of the said late duke, until they had delivered him safe at Whitehall, from whence he was conveyed to the Tower.

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## THE ARRAIGNMENT\*

OF

### THOMAS HOWARD DUKE OF NORFOLK,

BEFORE

### THE EARL OF SHREWSBURY,

LORD HIGH-STEWARD OF ENGLAND:

Also a brief derivation of the most Honourable Family of the Howards; with an account of what Families they are related to by Marriage.

*Transcribed out of ancient Manuscripts, never before published.*

Printed by Nathaniel Thompson, at the entrance into Old Spring-Garden, near Charing-Cross, 1685. Quarto, containing thirty-four pages.

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*To the High and Mighty Prince Henry, Duke of Norfolk, Earl Marshal of England, Earl of Arundel, Surrey, Norfolk, and Norwich; Baron Howard, Mowbrey, Seagrave, Brewes of Cower, Fitz-Allen, Warren, Chun, Oswaldestry, Maltreviers of Cales, Graystock, Farnival of Sheffield, and Howard of Castle-Rising; Constable and Governor of his Majesty's Royal Castle of Windsor, Lord Warden of Windsor-Forest, Lord Lieutenant of the County of Norfolk, Surrey, and Berks, and of the City of Norwich, and County of the said City: and Knight of the most Noble Order of the Garter, &c.*

MY LORD,

AS your Grace is the chief of your illustrious family, it would appear as rudely improper to dedicate this discourse to any other, as perhaps it doth an unbecoming presumption to present it to the honour of your hands; and, since there is no avoiding a crime, the

\* Vide the 105th Article in the catalogue of Pamphlets in the Harleian Library.

least must be admitted, for which I hope to obtain a pardon with less difficulty, from that excessive goodness which is your character, than I have had to collect these scattered papers (slubbered with antiquity) which were long preserved in your family, and hastily thrown into this posture, by

My Lord, your Grace's most humble

And most faithful servant,

J. LACY.

**T**HE names of the lords summoned by Thomas Edwards, serjeant at arms, who, being called, came, and sat down in their places appointed: they that sat on the right-hand of the steward are noted with the letter *A*, and they that sat on the left-hand with the letter *B*.

#### EARLS.

Kent *A*.  
Worcester *B*.  
Sussex *A*.  
Huntington *B*.  
Warwick *A*.

Bedford *B*.  
Pembroke *A*.  
Hertford *B*.  
Leicester *A*.

#### LORDS.

Clinton *A*.  
Howard of Effingham *B*.  
Burghley *A*.  
Grey of Wilton *B*.  
Montjoy *A*.  
Sands *B*.  
Wentworth *A*.  
Bourghrave *B*.

Mourdaunt *A*.  
St. John *B*.  
Rich *A*.  
North *B*.  
Shandois *A*.  
St. John of Bostock *B*.  
Buckhurst *A*.  
De la Warre *B*.

Then was Robert Catlin, Lord Chief Justice of England, commanded to return his precept upon peril, which, being returned, was read, statute issues, and then the lieutenant of the Tower was called to return his precept, and to bring forth his prisoner the Duke of Norfolk: then was the duke brought to the bar, between Sir Owen Hopton, lieutenant, and Sir Peter Carew; and, next Sir Peter, stood one holding the tower-ax, with the edge from the duke.

The duke immediately, at his coming to the bar, perused all the lords, first on the right-hand of the steward, then on the left-hand; and the lieutenant delivered in his precept, *versus Thomam Ducem Norfolk, &c.* And then was proclamation made, every man to keep silence; and Mr. Sands spoke to the prisoner in this manner:

Thomas Duke of Norfolk, late of Kennington in Norfolk, hold up thy hand; which done, he read the indictment, the effect whereof was, that he, the 22d of September, *anno Dom.* 1570, did traitrously compose and imagine to put to death our sovereign lady the queen; to raise rebellion, to subvert the commonwealth, and to stir up foreign enemies to invade this realm, and to levy war

against the queen ; for that he knew Mary late Queen of Scots to have claimed the crown of this realm, and to have named herself queen of England, and bore the arms of our queen without difference; did, the 22d of September, *anno prædict'*, before and after, compose, and imagine to deprive, destroy, and put to death our sovereign lady the queen, to raise rebellion, to subvert the commonwealth, and to stir up foreign enemies to invade this realm, and to levy war against the queen ; for that he knew Mary late queen of Scots to have claimed the crown of this realm, and to have named herself queen of England, and bore the arms without difference ; did, the 22d of September, *anno prædict'*, before and after, without the consent of our said queen, send divers tokens and letters to the said late Scottish queen, and lent her divers sums of money, and received divers tokens from her, contrary to the commands of the queen, and contrary to his own submission and promise under his hand and seal ; and that he knowing the late Earls of Northumberland and Westmorland, the northerns, Markenfield, and others, which had levied war against the queen, the 16th of November, *anno prædict'*, and had assembled, to the number of a thousand persons, and then fled the 12th of December *anno prædict'*, into Scotland, and there were received by the Duke of Castol Herald, Lord Humme, and there pursued by the Earl of Sussex : He, on the 7th of August *anno prædict'*, did send, before and after, money unto them, and that he being adherent to the pope, the queen's enemy, the 10th of March, 12 *anno reginæ*, did consent and consult with Robert Radolph, merchant stranger, and the pope's factor, to have money from the pope, and the duke of Alva, and that they should send an army to invade the realm, to deliver the said Scottish queen. And further, whereas the said Robert Radolph had written, in the name of the said duke, three letters, one to the Pope, the second to King Philip, and the third to the Duke of Alva ; the said Duke sent his servant to the ambassador of King Philip, to desire him to certify the Pope, King Philip, and the duke, that he allowed of the same letters : and that they should be taken as sent from him, which was so agreed ; but the said Robert Radolph, who delivered the Duke of Norfolk's cyphers, whereof he carried one copy to Rome, whereby each might certify others, and likewise required of the said duke what time the aid should arrive, that they might be provided : And further, that the said duke did receive letters from the said pope, with promise of the said aid : and also, that he did send comfort to the Lord Ferris, and other Scots, the queen's enemies, &c.' Which indictment being read, Mr. Sands said to the Duke, How sayest thou, Thomas Duke of Norfolk, art thou guilty of these treasons, or not guilty ?

*Duke.* The hearing of this indictment gives me occasion to make request, which I did not intend to have done ; which is to have counsel assigned me, if the law will permit it.

*Callin.* You must have none.

*Duke.* That is very severe ; I was told the indictment was only concerning matters contained in the statute of the 25th Edward III.

I have had very short warning, not more than fourteen hours, night and all: I am no lawyer, and there are many circumstances in which I must submit myself to the opinion of the justices. I could not have books to inform myself, and direct, but must fight without weapons: Yet I have heard, in the cause of Mr. Humphry Stafford, in the time of Henry VII. in a case of treason, he had council assigned him.

*Dyer.* The case you speak of was concerning the pleading of a sanctuary by prescription.

*Duke.* I must submit then to your judgments; I must plead for my life, lands, goods, and children, and for that which I esteem much more dear to me, my honour and honesty; my blood will cry aloud for vengeance, if I am condemned unjustly. One request I make to you my judges, to tell me, if the indictment be perfect in all, or in part, and in what part, that thereto I may give my answer.

*Catlin.* The cause being true, the indictment is sufficient.

*Duke.* I should know whether they are all treasons or no?

*Sands.* How sayest thou, Thomas Duke of Norfolk, art thou guilty of these treasons, or not guilty?

*Duke.* Not Guilty.

*Sands.* How wilt thou be tried?

*Duke.* By God and my peers; I am in a great consternation at the treasons that are imputed against me, but am comforted by the justice of the queen, in giving me that trial which the law alloweth me, and it is such as I require. But this suit I make to the lords, that I may have justice, and not be oppressed with unnecessary diversities; my memory is ill of itself, and rendered much worse by evil usage, since my severe imprisonment: I pray God I may forgive it. And, concerning you my peers, I hope I may call it my happiness, that I shall be tried by you, in whose hands I must put my life; and I think I dare into the single hands of a great many of you, who I know profess religion; and, I hope, will not burthen your consciences contrary to law and justice; depending upon the clearness of my innocence, I would not take a needless and cowardly flight; I have what I expected and wished, a trial. I crave it with justice, and must confess I have neglected my duty in matters under treason; I desire those omissions be not imputed as treasons.

*Serjeant Burham.* This indictment contains three several matters of treason. First, It is by deprivation of the queen's majesty. The second, is the relief of the rebels in England. The third, the assistance of the Scots, the queen's enemies. To prove the first, there are two matters of fact declared in the said indictment. First, knowing the Scottish queen to have claimed the crown, he hath attempted marriage with her: also, the conspiracy to procure foreign power to invade the realm, doth prove him guilty of the matter.

*Duke.* The Duke, interrupting him, said, Mr. Serjeant, You begin, as I thought you would, in laying the matters of the marriage, and other things, to my charge, which are not treason, to exasperate the

matter; you may do your duty, but yet conscientiously; and then (something smiling) I should speak one thing which I had almost forgot: a man suspected is half condemned. I have been charged with an oath; I protest I took the oath, as I shall prove; I pray let it not be laid out to my discredit. They desired it.

*Burham.* He, that would marry with one that claimeth the crown, hopeth to aspire to the same: This matter began at such a time as the duke was one of the commissioners for hearing the cause between the late Scottish Queen and the Lords of Scotland, at which time the duke took an oath to deal therein directly, to weigh indifferently occasions and answers; wherein, notwithstanding, he dealt indirectly, thereby committing perjury, and disclosing the queen's secret counsels; if you deny it, I will prove it.

*Duke.* This case hath divers parts, not within the compass of treason.

*Burham.* I demand if you know the claim?

*Lord Steward.* Your grace must answer directly.

*Gerrard.* After (upon viewing Serjeant Burham and the queen's attorney) the duke confessed the claim, but not the contrivance, &c.

*Burham.* He shewed the contrivance, by her refusal to acknowledge the queen's majesty to be the lawful queen.

*Duke.* I did not approve it, but I must defend her doing it; she, having a husband, did it; which, at the request of Throgmorton, was left by the queen; she hath since entered into league with her, professing great friendship, and has christened her child.

*Burham.* But she has not yet renounced her claim, and yet you have as far dealt with her as, being the queen's commissioner, to hear the matter, to open to her the accusations: you gave right instructions how she should deal, that matters might not come to light; and conferred with the Bishop of Ross about the same. For proof whereof, was shewed the examination of the bishop, taken the 6th of November one thousand five hundred seventy one, declaring that the duke discovered to him all that he knew of that business, and promised what help he could, &c. But he spoke nothing of the marriage, but referred all to Luddington, who had caused the duke to stay the conference, and shewed unto him her good-will, and how she was set to accompany the Earl of Murray to convey the queen, where he shewed that the duke did advertise him, that they did go about to degrade the Scottish queen with the people of England, that she might be the less able to attempt any thing against the queen of England: and these matters the duke answered at large; the effect was:

*Duke.* Luddington only moved the marriage to him, which he at that time refused: that he only told the Bishop of Ross, he could not condescend to that proposition; and, as her circumstances were stated, it would neither be for her honour, nor his: he desired the Bishop of Ross might be sent for. Then was shewed a letter of the bishop's, wherein was contained, That it was appointed the Earl of Murray should be murdered in the north, going into Scotland: But, the duke having discoursed with him at Hampton Court about the

marriage, to which he consented, the intended murder was also stopped. There was also a letter to the duke shewed, moving the marriage at that time, and that it should be for the advantage of his family to marry the queen, who proposed her son should also marry the Lady Margaret Howard, the duke's daughter, which argument inclined the duke to it. Yet, when it was rumoured that he designed the marriage of the Scottish queen, he appeared much offended, and told the queen of it, and seemed to dislike her for her former marriages; and said, the whole revenues of the crown of Scotland, the ordinary charges deducted, was not so considerable as his estate in England; and that he thought himself as great a prince in his Bowling-Alley at Norwich, as if he were king of Scotland. This was affirmed by Mr. Burham, that he heard the queen's majesty speak it; and, by the duke's own examination, taken the 6th of November, proved plainly. It was further shewed, that at Treachfield he had commandment not to proceed any further in that marriage; and yet it was apparent he had treated about it, though he had declared to Banister an ill opinion of the queen, and said, he believed she was privy to the murder of her husband.

*Duke.* These are far fetches, Mr. Burham, and come short of proving a deprivation of the queen, and destruction of her person. When the marriage was proposed to me, I made several objections against it, though, without any unjust or unbecoming reflections upon that great princess, whose virtue is above calumny: but my Lord Leicester, who persuaded me to the marriage also, told me of the queen's consent, and advised me to proceed in the treaty, and leave the management to him, who would attend an opportunity to discourse it with the queen, whom he knew he could dispose to it.

*Burham.* To come nearer to you, it appears you have gone about to procure it by force, and conspired to have taken the tower; which, if true, you must grant the destruction of the queen's person; for the jealousy of a kingdom is such, that it will not admit of a rival. Then some letters of the duke's were read, and several long letters written by the Queen of Scots, from whence it is inferred, the duke did not pursue the marriage for love of the Queen of Scots, but for the ambition of the crown of England.

*Duke.* Your conclusions and inferences are ill applied. It is true, one came to me and advised the taking of the tower, which I refused and disliked.

*Burham.* Why then did you consult the Earl of Pembroke about the same?

*Duke.* To tell him what had been proposed to me, was not to consult him.

*Gerrard.* You took a knife, and cut down a green vine, with this saying, *viresciti vulnere virtus*.

*Duke.* Why, what do you gather from thence?

*Burham.* The use is not to cut vines, whilst they are green, that should grow again.

It was also objected, that, when the queen's majesty had demanded of the Queen of Scots certain castles in her possession, which

the rebels delivered, the duke advised the contrary, and went about to procure the Queen of Scots her liberty, and that Ross opened the window; and, after he had promised, and given it under his hand, never to treat about the marriage any more, he held correspondence with the Queen of Scots and her friends. Then they shewed him a prophecy by Hickforth, which was this, *In exaltatione lune leo deprimatur, leo leoni conjungitur et semen eorum regnabunt*; which was proved by the examination of Hickforth, to whom the duke had shewed it, terming it a foppish tale.

*Duke.* By which you see I did not esteem it. Then one Candish was brought in, who was sworn: The substance of his evidence was, that, being at Southampton with the duke, he advised him to endeavour to obtain the queen's favour and consent to the marriage: he answered, he would have her, or it should cost him his life: and, another time, the duke and the Lord Lumley being together at Howard's palace. With that the duke, turning towards him, said, Canst thou accuse me of any thing? I defy thee and the devil, to which he answered:

*Candish.* I can accuse him of nothing, but the marriage; and that at Kenning-Hall he did say to him, that there was nothing to undo us, but the rising of the northern lords. If they should then rise, I further asked, if the queen was dead, that he may procure my brother Candish to be of his side.

*Duke.* All which the duke positively denied, and declared how little credit the same Candish was of; that he had often relieved him, and given him money; and that he was one of no estimation, as the business between him and Mr. Christmas did sufficiently testify.

It was also said, that the duke sent one Travers to the earls, desiring them not to rise, for, if they did, they were utterly undone; but this, and much more, was without proof. There was also a letter produced from the Queen of Scots to the duke, written in cyphers, which was decyphered and read, declaring her sorrow for his disappointments.

*Duke.* The duke answered, That all these things were unlikely, nor would he have thus proceeded, if he had, as he is charged, imagined and contrived the deprivation of the queen; and the chiefest evidence against him was by Radolph and Bracton, who was not to be credited for a witness. He also said, that Travers went not to the earls with any such message, and that he never offered to fly, which one guilty would have done; nor did he ever esteem those earls so much as to trust them with his life.

*Gerrard.* Thus have you have heard the attempt of the marriage proved, and, to prove the deprivation of the queen, was the dealing with the Pope, King Philip, and the Duke of Alva, for the bringing in of foreign power to land here, which God hath revealed, most wonderfully, according to that saying, *Nil est tam occultum quod non revelabitur*. At the first opening of the business, it could not be known whom it concerned: then, by opening of a bag of six-hundred pounds, sealed with letters in the same, to Sherbury, for fifty pounds,



which was opened by some of the council at London: the queen and council understood the whole matter at Easter by the letters directed to Quadrantus and Trantus, but who that signified could not be known till of late, for it appears by Quadrantus is meant the duke, and by Trantus another nobleman. This secret is now found out by cyphers hid in the tiles, and letters described by Hickforth, commanded by the duke to be burned, found under the matts going into the duke's chamber. These matters are to be proved by those that are neither indicted nor convicted of treason.

*Duke.* There was not a letter of mine that contained a syllable of treason; and, if the malice of ill men hath contrived any thing that deserves blame, it is fit they should bear their own burden, and not lay crimes upon my shoulders to lessen their load.

*Gerrard.* You had conference yourself with Radolph, for bringing in ten thousand men out of Flanders to be landed at Berwick, whereof three thousand should be horsemen: for proof whereof, was read the examination of Barker.

It was further shewed, that the Bishop of Ross and he had conference together about these matters, and concerning letters sent by the Duke of Norfolk to the Duke of Alva, and the Pope, and King Philp, but the duke had refused to subscribe them. Then it was advised, by the Bishop of Ross, that he should send Barker, his man, to the Spanish Ambassador, to tell him, the duke was well contented with those letters, and that they should be taken as his own, and that the ambassador should certify so much from him.

*Duke.* My memory is too weak to answer to a heap of matters huddled up I know not how, having nothing but truth and ignorance to support me; and you are four of the queen's council, who have notes, and the faculty of flourishing upon them; and it is hard for me to answer all of a sudden, and I may, through the defect of memory, and the surprize of an accused innocence, omit that which might be easily answered. It was very unlikely, and extremely untrue, that I should deal with the pope; I had rather be drawn in pieces with wild horses, than change from that faith which I was brought up in from my youth; and, for landing an army at Harwich, it is well known how impossible it is for an army to march in that country, which is all ditches and woods: if I had designed such a matter, I would have made provisions of arms and powder; I have not bestowed ten pounds on any armour these ten years, except it were eight corslets of proof; I have no cullivers in my house, and I am sure not three barrels of powder; and, if I had designed any such thing I would have been provided otherwise than I was, neither would I have sent Barker of such a message, but rather have trusted my hand to the letters, than to have put words into his mouth, he being one of no credit with me; and, if I would have framed such a message, I would sooner have employed Banister than twenty Barkers.

Then was shewed a letter from the Bishop of Ross, to the Scottish Queen, about the marriage. There was also a letter from the duke of

Radolph, written with oker, since he was in the tower, bidding him burn the bag of letters which Barker had put in a certain place, and to lay up Ross's, whom the law could not touch, because he was an ambassador.

*Duke.* I had heard that he had accused divers; and, when I perceived there was such searching, I gave that advice for avoiding of trouble, though the letters were insignificant.

There was also a letter from the duke, which expressed, that he could not be charged with any crime; and, if he loved his life, he should take heed whom he accused.

*Duke.* By which my innocence appears?

Brumley shewed letters from Radolph, sent by Bayley, Ross's servant: by which it appeared, that the Duke d'Alva liked the matter, and enquired how far Harwich was from London.

Brumley further said, the whole conspiracy was opened at Antwerp, to the ambassador of a foreign prince; who acquainted his master, who had written the whole discourse to the queen; which, because it concerned others as well as the duke, should only be opened to the lords of the privy council.

*Duke.* This is a mystery that I know not how to reply to, unless that part of it, which concerned me, were discovered.

Then Mr. Milbourn made a formal discourse for the credit of the depositions, of the duke, and others.

*Duke.* I know not how to come after so smooth a tale as the attorney of the court of wards has told, yet he reflects nothing, what fear and promised rewards might prevail upon timorous and mercenary minds: But I refer you unto Bracton for discrediting and disproving those witnesses.

*Catlin.* In such matters and cases of treason, the depositions of strangers may be taken, and it lies in the breasts of the peers to credit the same as they shall see cause; and to proceed to the second point of treason specified in the indictment, which was, the aiding the rebels after they were fled.

*Duke.* There is little danger in a discerned enemy; yet I never relieved any of them.

*Catlin.* Then, for the third point of treason contained in the indictment, for assisting the Scottish rebels, the queen's enemies, by letters from the duke to Banister, and from Banister to Luddington, and from Luddington to Radolph; and, by the examination of Banister, and by the bag of money delivered to Sherbury, with letters in the same bag as it was before declared by Mr. Gerrard.

*Duke.* I desire the opinion of the judges, if the subjects of another prince, the prince not being in war with the queen, may be accounted the queen's enemies?

*Catlin.* That might well enough be seen, for the queen might make war with a duke in France, and have peace with the French king.

*Shrewsbury.* Have you aught else to say?

*Duke.* I depend upon truth and innocence, which I hope will outweigh the malice and artifice of my enemies; and I also hope my

judges will consider the invalidity of the evidence against me, the persons being of no credit nor reputation : and, for the marriage, I treated in it with the queen's consent and appointment ; and afterwards suspended it, though several letters and arguments were directed to me concerning it.

*Shrewsbury.* Lieutenant of the tower, withdraw the prisoner a while ; then was silence proclaimed.

*Shrewsbury.* My lords, here you have heard that Thomas Howard Duke of Norfolk has been indicted for divers points of treason, and has pleaded not guilty, and has put himself upon the trial of God and his peers : you are now to consider, upon the whole evidence which you have heard, whether he be guilty or not guilty, and to speak your minds upon your honours and consciences, and so bid them withdraw together, and return as soon as they could ; which they did to a place for that purpose where the chancery is now kept ; and there consulted in the sight of all : then, the lords being returned and sat in their places, the Earl of Shrewsbury lord high steward of England commanded the duke to be placed further out of hearing of them ; then he asked aloud, first, the youngest lord, saying, What say you my Lord De la Warre, is Thomas Duke of Norfolk guilty of these treasons, yea, or no ? Who, standing up, answered, guilty ; then the same was asked of all the barons and earls one after another, beginning at the youngest and so to the eldest in degree ; and all said, guilty. Then the Lord High Steward commanded the prisoner should be brought to the bar, who being placed, the Earl of Shrewsbury lord high steward said : Thomas Howard Duke of Norfolk, thou hast been accused of divers treasons, and hast pleaded against all, not guilty ; and hast put thyself upon God and thy peers, who have all declared thee guilty ; What canst thou say now, that judgment may not proceed against thee ?

*Duke.* The great God and my own innocence be between me and my false accusers.

Then was there a profound silence a good while, after which the tower ax was turned towards the duke.

*Burham.* May it please your lordship to understand, that Thomas Howard late duke of Norfolk has been indicted of several treasons, and hath thereunto pleaded, not guilty ; and thereupon hath put himself upon the trial of God and his peers, and they have found him guilty : I am therefore to pray your judgment in the behalf of our gracious sovereign lady the queen.

*Shrewsbury.* Thou Thomas late Duke of Norfolk hast been indicted of several treasons, and thereunto hast pleaded, not guilty, and hast put thyself upon the trial of God and thy peers, and hast been by them found guilty. Therefore our court and the queen do award, that thou shalt be led from hence to the tower, and thence to be drawn through the midst of London to Tyburn, and there to be hanged, until thou art half dead, thy bowels to be taken out and burnt before thy face, thy head to be cut off, and thy body quartered, and thy head and quarters to be at the queen's will and pleasure, and our Lord have mercy on thy soul,

*Duke.* You have said unto me as unto a traitor: God forgive you, and wash my innocent blood from your souls, that it rise not in judgment against you. I condemn not you, and yours; I die not a traitor, but a true man, both to my queen and country: And, since you have put me out of your company, I hope to go where I shall find much better, who will regard that innocence which you have rejected. I am at a point never to beg for mercy where I have no guilt, but the suit I have to you, my lords, is, that you will move the queen to be good to my children and family, and to see the discharge of my debts.

Thus fell that illustrious prince, whose greatness in estate and title was his only crime, for being of an ancient and splendid family, the blood royal of England and France not being out of his veins, and being allied to all the considerable families of England, and having an estate to support that greatness of a hundred thousand pounds a year, besides the fortunes he obtained by his marriages, which was also very large: all his paternal estate was disposed of by the queen, without regard to the innocence of his children, the hard measure of his accusations, and his obedience, which led him to the pursuit of her commands upon all occurrences: which estate, as it is divided, and improved, is valued at five hundred thousand pounds a year. My Lord of Leicester, who was the leading man at that time (and sat with watchful diligence) at the helm, which he managed as his interest or passion inspired him: first proposed the marriage of the Queen of Scots to the Duke of Norfolk; which he refused, till importuned by the persuasions of those that appeared to be his friends, and assured by a letter under Queen Elisabeth's own hand of her consent; all which ensnared him till the consummation of the marriage; which was made evident by a letter kept long in the family from the hands of the Queen of Scots, in which she subscribed herself, *your most obedient wife*, Mary of Scotland and Norfolk: and this great family, thus eclipsed, remained under the cloud of a severe deprivation, till the last King Charles of blessed memory restored them to their former titles and dignities. That excellent prince considering their long and silent sufferings, with what forwardness most of them engaged their lives and fortunes in the service of his royal father, there being but two of all that great and numerous family that drew a sword against their king; may those two be buried in the dull ashes of oblivion for ever, and wiped out of our way, as perhaps they are out of the book of life.

*A brief Account of the noble Family of the Howards.*

THE family of the Howards came into England with the Saxons, being from a vast length of time very considerable in that country, having the title of barons, and the name in that language being *Hofwerd*, as some ancient books there testify, which signifies the chief office in the court: William the Conqueror found them in a great condition of estate and quality here, according to the mode and method of those times, bearing distinctions proper to barons: They continued.

most eminent in their country, and linked themselves into the greatest families in the kingdom, as with all evidence appears, behold here.

*A brief Account of the Descent of the Dukes of Norfolk.*

THOMAS of Brotherton, second son of King Edward the First by Margaret of France his second wife, was Earl of Norfolk and High Marshal of England, whose daughter and heir, being married to John Lord Segrave, was created Duchess of Norfolk; and Elisabeth their daughter and heir being married to John Lord Mowbrey, mother to Thomas Mowbrey, created Duke of Norfolk by King Richard the Second, in the year one thousand three hundred ninety-seven, and first Earl Marshal of England; which Thomas, by Elisabeth his wife, sister and heir of Thomas Fitz-Allen, Earl of Arundel, was father of John Mowbrey second Duke of Norfolk, and of Margaret his eldest daughter, wife to Sir Robert Howard knight, whose son John Mowbrey, the third Duke of Norfolk, was father of John the fourth Duke of Norfolk; whose daughter and heir dying without issue in the reign of King Edward the Fourth, the honours and lands of Mowbrey were divided between John Lord Howard son of Sir Robert Howard and Margaret Mowbrey, who was created Duke of Norfolk by King Richard the Third, and William Lord Berkley son of Isabella second daughter of Thomas Mowbrey first Duke of Norfolk: This John Lord Howard Duke of Norfolk was slain at the battle of Bosworth, in one thousand four hundred eighty-five, and attainted, leaving Thomas Howard Earl of Surrey his son: who, in the fifth year of King Henry the Eighth, was restored Duke of Norfolk; and, dying, Thomas Howard his son was Duke of Norfolk, and father of Henry Earl of Surrey, who was beheaded the last of Henry the Eighth; which Henry Earl of Surrey was father of Thomas Howard Duke of Norfolk, who was beheaded and attainted for the marriage of the Queen of Scots, the fourteenth year of Queen Elisabeth; whose son Phillip (Earl of Arundel in right of his mother) died in the tower; his son Thomas the great lord marshal (whose memory is a lasting honour to his family) left his son Henry of unblemished honour and reputation also, whose son Thomas was restored by the last King Charles the Second of happy and glorious memory, to the dignity of Duke of Norfolk, whose brother Henry survived him, and left two sons, Henry the present Duke of Norfolk, and the Lord Thomas Howard, who hath issue.

This flourishing family has spread itself into many eminent branches, as the Lord Viscount Stafford, the Earls of Suffolk and Berkshire, the Lord Escrick, the Earl of Carlisle, and the rest of the descendants from the Lord William Howard of Naworth, whose memory is to be preserved as sacred in the family, who, for wisdom, virtue, and honour, was the glory of his time; he was third son of Thomas Duke of Norfolk, whose trial and unfortunate death you have here had a view of; the sons of which Lord William Howard were men of great honour, and served their king with their lives and fortunes; his

second son, Sir Francis Howard, having raised a regiment at his own proper charge, and suffered a long imprisonment in the tower. Colonel Thomas Howard, the fourth son of the Lord William, also raised a regiment for King Charles the First of sacred memory, and bravely lost his life at the head of it; having refused very advantageous conditions from the King of Portugal, who had invited him into his service, he being a soldier of long experience abroad, and much esteemed for his courage and conduct, and detained here by the commands of his prince, whom his honour, religion, and conscience obliged him to obey; he fell (a willing sacrifice for the service of his prince) to the rage of the rebels.

*Here is also an Account of such Families as are descended from the House of Howard, taken in the Year 1660.*

BY the daughter and heir of Sir John Howard, who was of the same family with the Duke of Norfolk, and married to John Vere Earl of Oxford; and descended by the heirs of Wingfield, and of Nevil Lord Latimer, the families of Wingfield now remaining, Percy Earl of Northumberland, Cecil Earl of Salisbury, Danvers late Earl of Danby, who quarters the arms of Howard; Norris late Earl of Berkshire, the Lord Pawlet of Somersetshire, and many other noble families, namely, the ancient and honourable family of the Lacies; and from John Howard first Duke of Norfolk of that name, by his daughter married to Windham, and from them by Lutterel and Rogers descended the Marquis of Hertford, the Lord Seymour, and many other ancient families in the west; and by other daughters, the families of Knivet and Gorges: from Lord Edmund Howard third son of Thomas second Duke of Norfolk is descended the Lord Arundel of Warder; from the said Thomas second Duke of Norfolk are descended first all those of the house of Nottingham and Effingham, and from them by daughters the present Marquis of Winchester, the Earls of Mulgrave and Peterborough, the Viscount Mordaunt, the Lord Fairfax, and many other eminent families. By his daughter married to the Earl of Darby, are descended at this day the Earls of Darby, Bridgewater, the Lord Stourton, Morley, Dudley, Stafford, Shandois, Powis, and many other noble families. By his daughter married to Sir Rice ap Thomas, the Earls of Carbery, and many other noble families in Wales are descended.

By his daughter married to Sir Thomas Bullen Earl of Wiltshire and Ormond, are descended the families of Cary Earls of Dover and Monmouth, and the Viscount Faulkland; and, by the daughter of Cary married to the family of Knowles, the Earls of Banbury, Northumberland, Essex, Warwick, Holland, Newport, and the Lord Paget, and many others.

From Thomas Howard third Duke of Norfolk are descended the heirs of the Lord Scroope of Nevil, Earl of Westmorland, the Lord Berkeley, and the heirs of the Viscount Binden.

From Thomas Howard, fourth Duke of Norfolk, the present Duke of Norfolk, the Viscount Stafford, the Earls of Suffolk, Berk,

shire, Carlisle, Lord Howard of Escrick, all the Howards of the north, the Earl of Dorset, the late Duke of Richmond, and by marriage, at present, many other noble families are nearly allied; as, the Earls of Northumberland, Bedford, Salisbury, Devonshire; the Lords Darcy, Sandys, Fairfax of Imolleth, Mac Donell, and many other ancient and honourable families are descended.

This great Duke of Norfolk, whose trial you have read, first married the daughter and heir of Fitz-Allen Earl of Arundel, by whom he had Philip, who was poisoned in the tower; the duke's second marriage was to the daughter and heir of the Lord Audley, by whom he had Thomas Earl of Suffolk, and the Lord William Howard of Naworth, who was long detained a prisoner in the tower, after the death of the duke. The duke's third marriage was to the widow of the Lord Dacres of the north, who, by the said Lord Dacres, had two daughters, Anne and Elisabeth, to whom the duke married his two sons, Philip and the Lord William Howard. Thomas, the great lord marshal (who is never to be mentioned without the memory of his honour) was the son of Philip Earl of Arundel, and Anne, the eldest daughter of the Lord Dacres; which Thomas married the Lady Alatheia Talbot, daughter and heir to the Earl of Shrewsbury, by whom he had Henry Lord Matrevers, and William Viscount Stafford; which Henry married the Lady Elisabeth Stuart, daughter to the duke of Lenox, and the Lord Viscount Stafford married the daughter and heir of the Lord Baron Stafford. This Henry, afterwards Earl of Arundel, left eight sons and two daughters; Thomas, who died at Padua, and was restored to the Dukedom; Henry, last Duke of Norfolk; Philip lord cardinal; Charles, a person of much honour and integrity; Edward, Francis, Bernard, and Esma. Henry, who after the decease of Thomas was Duke of Norfolk, married the Lady Anne Somerset, eldest daughter to the Marquis of Worcester, and sister to the present Duke of Beaufort, by whom he had two sons, Henry, the present Duke of Norfolk, who married the Lady Mary Mordaunt, daughter to the Earl of Peterborough; and the Lord Thomas Howard, who married the daughter and heir of Sir George Savil, of the family of the Marquis of Halifax, by whom he hath issue: also the said duke had two daughters, the eldest married to the Duke of Gordon of Huntley, the youngest to the Marquis of Waperiso. Charles, the fourth son, married Mary, the eldest daughter and coheir of George Tatershall, of Hinshamstead in the county of Berkshire, Esquire, a lady of great virtue and extraordinary parts, of an ancient and honourable family (which came into England with the Saxons, and long retained the title of baron, as is recorded by many authors) by whom he hath a hopeful son, named Henry Charles Howard; Bernard married to Catharine, the younger daughter of the said George Tatershall, Esquire, who hath also issue one son, named Bernard, and three daughters. The Lady Elisabeth Teresa, the youngest sister of the last Duke of Norfolk, was married to Alexander Mac Donell, eldest son to Sir James Mac Donell, bart. and nephew to the late Marquis of Antrim, by whom she had one son, named Randal Mac Donell,

she was afterwards married to Bartholomew Russel, Esquire, of Seaton in the county of Dublin, of the family of the Earls of Bedford.

The Lord Thomas Howard, afterwards Earl of Suffolk, second son to Thomas Duke of Norfolk, who so unfortunately lost his life for espousing the interest of the Queen of Scots, married the daughter and heir of Sir Philip Tenevit; whose eldest son was married to the daughter of the Earl of Dunbar; his eldest daughter to the Earl of Salisbury, the second to the Earl of Banbury, and the third to the Earl of Somerset: the eldest had many sons and daughters; the Earl of Berkshire, being the second, married the daughter of Cecil Earl of Salisbury; the third, being Sir Robert Howard of Clun, married the daughter of Nevil Lord Abergavenny. The fourth, who was created Lord Howard of Escrick, married the daughter of the Lord Butler. One of the daughters of the said Earl of Suffolk was married to Percy Earl of Northumberland; another to Boyle Earl of Orrery; one to Villiers, and another to Walsingham; all of which had issue.

But to return to Philip, the eldest son of the Lord William Howard of Naworth, who married into the family of the Carols, by whom he left one son called William, who married the daughter of the Lord Evers, by whom he had sons and daughters; Charles the eldest son, late Earl of Carlisle, having married the daughter of the late Lord Escrick Howard, by whom he had Edward, the present Earl of Carlisle, who married the daughter and heir of Sir William Udal, by whom he hath a hopeful offspring. Also two daughters, one married to the Lord Preston, the other to Sir John Fenwick. Sir Philip Howard, brother to the late Earl of Carlisle, married the daughter of Sir William Newton, by whom he hath one son.

Sir Francis Howard, the second son of the Lord William Howard, married the daughter of Sir Henry Widdrington, by whom he had heirs; Francis, his eldest son, married the daughter of Sir William Gerrard, by whom he had two daughters; and after married the daughter of John Townly, of Townly, Esquire, by whom he hath issue.

William, the youngest son of Sir Francis, married the daughter of George Dawson, Esquire, hath issue also: Thomas, the second son, having taken religious orders. His eldest son Thomas was slain in the late wars.

Sir Charles, the third son of the Lord William, married also the daughter of Sir Henry Widdrington, by whom he had heirs; William, the eldest son, being married to the daughter and heir of George Cunningham, Esquire, by whom he had one son Charles, who married the daughter of John Mear, Esquire. Dorothy, the daughter of Sir Charles Howard, married William Salone of Croxdale, in the county of Durham, and hath issue. Another daughter was religious.

Colonel Thomas Howard, the fourth son of the Lord William, who so eminently served his king, and lost his life in that service, married Margaret, daughter to Sir William Evers, second son to the Lord Evers, by whom he had one son named Thomas, and six daughters; Thomas married the daughter and heir of George Heron, of



Chip-Chace, Esquire, by whom he hath three daughters. Mary, the eldest daughter of Colonel Thomas Howard, married Ralph Featherstonhalgh, of Stanhope, in the county of Durham, of an ancient family in the north; Margaret and Antonia were religious; Catharine married to Nathaniel Lacy, of Deeping, in Lincolnshire, Esquire, whose family were formerly Earls of Lincoln; and after married to Edward Lacy, of Brewry Castle, in the county of Limerick, Esquire, descended from the Earls of Ulster, in Ireland. Teresa, the youngest daughter of Colonel Thomas Howard, was married to Ralph Booth, of the county of Durham, Esquire, of an ancient family, related to the Lord Delamer, bearing the same name and arms, who hath issue.

Thus hath this illustrious family spread itself over the three kingdoms, and hath acquired so much glory abroad, that, in all places where nobility is known and understood, the name of Howard is honoured. Germany claims it by its original, France by alliance, and Italy by respect; having had that object of honour, Thomas, the great lord marshal among them, whose generous and noble disposition planted such lasting obligations there, that even in these present times some of his descendants have reaped the benefit. Courage has been so essentially due to this great family, that never any was known of that blood, that did not possess an excessive share of that virtue, which they generally employed in the service of their prince, few of them having been in rebellion; and it is wished they may never sully themselves with so black a crime, and, as they are descended from princes, so they may unite themselves in a true obedience to their sovereign, which is the best defence of families; nothing being so fatal as faction and sedition, which has at all times proved a canker to consume them.

A TRUE

AND PERFECT ACCOUNT

OF

THE EARL OF ARGYLE'S LANDING

IN THE

NORTH OF SCOTLAND:

*With the Particulars of that whole Transaction.*

London, Printed, and are to be sold by Randal Taylor, near Stationers-Hall, 1685. Folio, containing two pages.

**S**UCH are the restless practices of those disturbers of government, the fanaticks, and their adherents, that, notwithstanding his majesty's repeated instances of pardon and indulgence, yet they continually

endeavour to raise commotions and disturbances, though to their inevitable destruction, of which, in a late account from Scotland, we shall particularly inform the reader.

That by the last post we have advice, that three ships of war, though but of small force, were discovered from off the island of Orcades, in the north of Scotland, and touched at a bay, and put two spies a-shore, to discover the posture the country was in, and whether it was convenient to make a descent; but the vigilancy of the governor was such, that the said persons were seized and secured, who not returning at the time appointed to their ships, those on board found themselves discovered, and thereupon thought it not convenient to land any men there, but steered their course farther northwards; and, approaching to another island of the Orcades, they landed forty men in their sloops, and, surprising a small village, seized upon, and carried away four of the chief inhabitants, and brought them to their ships, and then returned to the island, which had taken two of their men, sending word to the governor, that, unless they would restore them the said two men, they would hang those they had taken at the yard-arm, and all others they should hereafter seize, but were wisely and valiantly answered, that the said governor feared them not; that, in case they offered any violence to the said persons, the like should be returned upon the Earl of Argyle's lady, brother, and relations: and, as for the two persons taken, he would not restore them, but send them forward to Edinburgh, there to be tried and punished according to their demerit. They are now brought up before the council, and examined, and — Spence, one of them, is found to be a hardened sinner, one who had already undergone the torture of the boot, and has formerly had the benefit of his majesty's most gracious pardon. They are sent prisoners to the Tolbooth, and will suddenly be tried before the lords of the justiciary, if the parliament do not take cognisance hereof themselves; and the council forthwith ordered the apprehending the earl's lady, brother, and other relations, by way of reprisal, they having certain knowledge that the Earl of Argyle, with other fugitive traitors, in the late horrid conspiracy against the king and government, were a-board. But, God be praised, their present designs are prevented, and the whole kingdom put into such a posture of defence, that they need not fear the malice of their enemies; and it is hoped by this time some of his majesty's frigates, who went in pursuit of them, have reached them, though they have taken a contrary course, and sailed towards the north of Ireland; but that kingdom also is in a like posture of defence, that they are not able to make any descent there, they being so insignificant in number and strength, unless they are infatuated with the frantick notion of the fifth monarchy men in England, that 'one of them would chace a hundred, and a hundred a thousand'. They displayed a blue flag, with this inscription, *Pro Deo & Patria*, pretending for God and their country; like the rebels, in the late times, that fought for king and parliament, when their design was to destroy both. This being a true account of the whole transaction, which I thought good

to publish, to prevent the many false reports about the same, and to defeat the expectation of the malicious, who cry up their numbers to be many thousands, when they do not make up an hundred.

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A

LETTER WRITTEN TO DR. BURNET,\*

GIVING AN ACCOUNT OF

CARDINAL POOL'S SECRET POWERS;

From which it appears, that it was never intended to confirm the Alienation that was made of the Abbey-lands. To which are added two Breves that Cardinal Pool brought over, and some other of his Letters, that were never before printed. London, printed for Richard Baldwin, in the Old-Bailey Corner, on Ludgate Hill, 1685. Quarto, containing forty pages.

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SIR,

**I** Have fallen on a register of Cardinal Pool's letters, which carries in it all the characters of sincerity possible. The hand and the abbreviations shew that it was written at that time. It contains not only the two breves that I send along with this, but two other breves, besides several letters that passed between Cardinal Pool and the Bishop of Arras, that was afterwards the famous Cardinal Granvel; and others, that passed between Pool and the Cardinal de Monte, and Cardinal Morone, and Soto, the emperor's confessor. There are also in it some of Pool's letters to the pope, and to Philip, then king of England; and of these I have sent you two, the one is to the pope, and the other is to Philip: But with these I shall give you a large account of some reflexions that I have made on these papers, since I hear that you desire I would suggest to you all that occurs to me upon this occasion.

You have given the world a very particular account, in your history of the reformation, of the difficulties that were made concerning the church-lands, in the beginning of Queen Mary's reign; and of the act of parliament that passed in her reign, confirming the alienation of them, that was made by King Henry the eighth; and of the ratification of it made by Cardinal Pool, who was the pope's legate, and was believed to have full powers for all he did.

You have observed there were two clauses in that very act of parliament, that shew there was then a design formed to recover all the abbey-lands. The one is a charge given by Pool, to all people that had the goods of the church in their hands, to consider the judg-

\* Vide the 506th Article, in the Catalogue of Pamphlets, in the Harleian Library.

ments of God that fell on Belshazzar, for profaning the holy vessels, even though they had not been taken away by himself, but by his father: Which set the matter heavy upon the consciences of those that enjoyed these lands. The other was the repeal of the statute of Mortmain, for twenty years; for, since that statute was a restraint upon the profuse endowments of churches, the suspending it for so long a time gave the monks scope and elbow-room; and it is not unlikely, that, within the time limited of twenty years, the greatest part of the work would have been done: for superstition works violently, especially upon dying men, when they can hold their lands no longer themselves; and so it is most likely, that, if a priest came to tell them frightful stories of purgatory, and did aggravate the heinousness of sacrilege, they would easily be wrought upon to take care of themselves in the next world, and leave their children to their shifts in this.

But I go now to give you some account of the papers that accompany this letter.

The first is the breve that contains the powers that were given to Cardinal Pool, besides those general powers or bulls that were given him as legate. This bears date, the eighth of March, 1554, and so probably it was an enlargement of the powers that were, as it is likely, granted him at his first dispatch from Rome; and therefore these carry in them, very probably, more grace and favour than was intended or allowed at first: for Pool had left Rome, the November before this, and no doubt he carried some powers with him; but, upon the remonstrances that were made by the emperor, as well as from England, it seems those were procured that I now send you.

The most uneasy part of this whole matter was that which related to the church-lands; for it is delivered in the canon law, that the pope cannot alienate lands belonging to the church, in any manner, or for any necessity whatsoever. And by the same canon, which was decreed by Pope Symmachus, and a Roman synod, about the year 500, the giver and seller of church-lands, as well as the possessor, is to be degraded and anathematised; and any church-man whatsoever may oppose such alienations, and, these notwithstanding, may recover the land so alienated.

The pope, according to this decree, could not confirm the alienations that had been made by King Henry; and, if he did confirm them, the act must be null in law, and could be no prejudice to the present incumbent, or his successor, to claim his right. Therefore, pursuant to this, the powers given to Pool authorise him only to indemnify and discharge the possessors of the church-lands, for the goods that they had embezzled, and for the rents that they had received; for it runs in these words (which I have marked in the breve itself, that you may readily turn to it) 'And to agree and transact with the possessors of the goods of the church, for the rents which they have unlawfully received, and for the moveable goods which they have consumed; and for freeing and discharging them for them, they restoring first (if that shall seem expedient to you) the lands themselves, that are unduly detained by them.'

By these powers it is plain, that the pope only forgave what was past, but stood to the right of the church, as to the restitution of the lands themselves : and that clause (if that shall seem to you expedient) belongs only to the order and point of time, so that the discharging what was past might have been done by Cardinal Pool, before or after restitution, as he pleased : but restitution was still to be made ; and he had, by these powers, no authority to confirm the alienations that had been made by King Henry the Eighth, for the time to come.

But these limitations were so distasteful, both in England and the emperor's court, that Pool found it necessary to send his secretary Ormanet to Rome, for new instructions, and fuller powers : he addressed him to Cardinal de Monte for procuring them. Ormanet was dispatched from Rome, in the end of June, 1554, and came to Pool in the end of July, as appears by the date of Pool's letters to the Cardinal de Monte, which is the twenty-ninth of July, upon the receipt of the two breves that Ormanet brought him, bearing date the twenty-sixth and twenty-eighth of June.

The first of these is only matter of form, empowering him to act as a legate, either about the emperor or the King of France, in as ample manner as former legates had done. The second relates almost wholly to the business of abbey-lands ; in it the pope sets forth, that whereas he had formerly empowered him to transact with the possessors of church-lands, and to discharge them for the rents unjustly received, or the moveable goods that were consumed by them ; yet, since the perfecting of the reduction of England would become so much the easier, as the pope gave the greater hopes of gentleness and favour in that matter, he therefore, not being willing to let any worldly respects lie in the way of so great a work, as was the recovery of so many souls, and in imitation of the tender-hearted father, that went out to meet the prodigal child, impowers the cardinal, according to the trust and confidence he had in him, to transact and agree with such of the possessors of them, by the pope's authority, for whom the queen should intercede, and to dispense with them for enjoying them in all time coming. But the salvo, that comes in the end, seems to take all this off ; for he reserves all to the pope's confirmation and good pleasure, in all those things that were of such importance, that the holy see ought first to be consulted by Pool.

By these powers, all that Pool could do was only provisional, and could not bind the pope ; so that he might disclaim and disown him, when he pleased : and the agreements, that he made afterwards with the parliament, were of no force, till they were confirmed by the pope. And as the pope that succeeded Julius the Third, who granted these breves (but died before the execution of them was brought to him for his confirmation) would never confirm them ; so this whole transaction was a publick-cheat put on the nation, or at least on the possessors of the abbey-lands ; nor did it grant them either a good title in law (I mean the canon law) or give any security to their consciences, in enjoying that which, according to the doctrine of the church of Rome, is plain sacrilege.

And therefore I cannot imagine how those of that church can quiet their consciences in the possession of those lands. It is plain, by the progress of this matter, that the court of Rome never intended to confirm the abbey-lands; for all that was done by Pool was only an artifice to still men's fears, and to lay the clamour, which the apprehension of the return of popery was raising, that so it might once enter with the less opposition; and then it could be easy to carry all lesser matters, when the great point was once gained, as the saddle goes into the bargain for the horse. And indeed though a poor heretick may hope for mercy, notwithstanding his abbey-lands, because it may be supposed to be a sin of ignorance in him, so that he possesses them with a good conscience, and is that which the law calls *bonæ fidei possessor*; yet I see no remedy for such as go over to the church of Rome; for, if there is a sin in the world that is condemned by that church, it is sacrilege; so that they must be *malæ fidei possessores*, that continue in it, after the enlightening which that church offers them.

A man may as well be a papist, and not believe transubstantiation, nor worship the host, as be one, and still enjoy his church-lands. Nor can any confessor, that understands the principles of his own religion, give absolution to such as are involved in that guilt, without restitution: so that it is a vain thing to talk of securing men in the possession of those lands, if popery should ever prevail: for, though the court of Rome would, to facilitate our reconciliation, offer some deceitful confirmation, as was done by Cardinal Pool, yet no man, after he went over to that church, could suffer himself to enjoy them: every fit of sickness, or cross accident, would, by the priest's rhetoric, look like the beginning of the curse that fell on Ananias and Sapphira. The terrible imprecations, that are in the endowments of monasteries, would be always tingling in his ears; and, if absolution were denied, especially in the hour of death, what haste would the poor man make to get rid of that weight which must sink him into hell? For, as he must not hope for such good quarters as purgatory, so, if he happened to go thither, he would be so scurvily used by the poor souls, which have been kept frying there, for want of the masses which would have been said for them in the abbey-church, if he had not withheld the rents, that he would find so little difference between that and hell, that even there he might be tempted to turn Protestant again, and believe that purgatory was no better than hell. If any will object, that, at least, Cardinal Pool's settlement secures them till it is annulled at Rome: To this, as these papers will offer an answer, since his settlement was to have no force, till it was confirmed by the apostolick see, which was never yet done: so if our English Papists go into the opinion that is now generally received and asserted in France, that the pope's power is limited by the canons, and subject to the church; then the confirmation given by cardinal Pool is null of itself, though it had been granted exactly according to the letter of his instructions: since there has been, in several ages of the church, so vast a number of canons made against the alienations of church lands, that, if they were all laid together, they

would make a big book; for, in the ages of superstition, as the church-men were mightily set on enriching the church, so they made sure work, and took special care that nothing should be torn from it, that was once consecrated.

But I return from this digression, to give you some account of the other letters, that are in my register. There is a letter of Cardinal Morone's to Pool, of the thirteenth of July, sent also by Ormanet, in which he tells him: that though the emperor had writ very extravagantly of him to the pope; yet the pope said, he was sure there was no just occasion given for it. And whereas the emperor pressed that Pool might be recalled; the pope continued firm in his resolution, not to consent to so dishonourable a thing. He adds, that the pope was not yet determined in the business of the church-lands, but had spoken very often very variously concerning that matter. After this, there follows another breve of the tenth of July, by which the pope, upon the consideration of the prince of Spain's being married to the queen of England, enlarges Pool's powers, and authorises him, as his legate, to treat with him: But this is merely a point of form.

Pool sent Ormanet, with an account of this dispatch, that he had received from Rome, to the bishop of Arras, to be presented by him to the emperor. All the answer that he could procure, as appears by Ormanet's letter, was, that the emperor had no news from England since his son's marriage; but that he would send an express thither, to know the state of affairs there; which he thought must be done first, before the legate could go over. And of this the Bishop of Arras writ to Pool, three days after Ormanet came to him; his letter bears date from Bouchain, the third of August, 1554.

By Ormanet's letter it appears, that these last powers gave the emperor full satisfaction, and were not at all excepted against; only Granvel made some difficulty in one point, Whether the settlement of the church-lands should be granted as a grace of the pope's, by the cardinal's hands, immediately to the possessors; or should be granted to Philip and Mary, and by their means to the possessors? For it seems, it was thought a surer way to engage the crown, to maintain what was done, if the pope were engaged for it to the crown, with which he would not venture so easily to break, as he might perhaps do with the possessors themselves. But Ormanet gave him full satisfaction in that matter; for the manner of settling, it being referred wholly to the cardinal by his powers, he promised, that he would order it in the way, that should give the nation most content.

The emperor's delays became very uneasy to Cardinal Pool, upon which he wrote to Soto, that was the emperor's confessor, the twelfth of August, and desired to speak with him. By the place, from whence the cardinal dates most of these letters, it appears he was then in a monastery, called Diligam, near Brussels. I will not determine whether it may not be a mistake, that passes so generally, that no wonder you have gone into it, that he was stopped at Dilling, a town upon the Danube, by the emperor's orders, which might have been founded on his being lodged in this monastery; for as he dates some of his letters, from Diligam, and others from Brussels; so he

dates one from Diligam abbey, near Brussels. But this is not of any great importance.

After some letters of no great consequence there comes a long one writ by Pool, to the pope, bearing date from Brussels, October the thirteenth, 1554, which I send you. In it, Pool gives him an account of the first conference, that he had with the emperor, on this subject. He told the emperor, that though, as to matters of faith, the pope could slacken nothing, nor shew any manner of indulgence; yet, in the matter of the church-lands, in which the pope was more at liberty, he was resolved to be gentle and indulgent: and, as to all the pains and censures, that the possessors had incurred, and the rents that they enjoyed, which were points of great importance, he was resolved to use all sorts of indulgence towards them, and to forgive all. Nor had he any design of applying any part of these goods, either to himself, or to the apostolick see, of which some were afraid; though he might pretend good reason for it, considering the losses, that that see had sustained, by reason of the schism; but he would give up all that to the service of God, and the good of the kingdom. And such regard had the pope to the King and Queen of England, that he was resolved to grant, upon their intercession, whatsoever should be thought convenient, to such persons, as they should think worth gratifying, or were capable to assist in the design of settling the religion. To all this, the emperor answered with a new delay: he was expecting to hear very suddenly from England; and it was necessary to have that difficulty concerning the church lands first cleared, which, by his own experience in Germany, he concluded to be the chief obstacle. For, as to the doctrine, he did not believe, they stuck at that; and he thought that they believed neither the one nor the other persuasion, and therefore they would not be much concerned in such points: yet, since these goods were dedicated to God, it was not fit to grant every thing to those that held them; and therefore, though Pool had told him, how far his powers extended, yet it was not fit, that it should be generally known. But, as the emperor was putting in new delays, Pool pressed him vehemently, that the matter might, at last, be brought to a conclusion. The emperor told him, that great regard must be had to the ill dispositions of the parties concerned; since the aversion, that the English nation had to the very name of obedience to the church, or to a red hat, or a religious habit, was so universal, that his son had been advised to make the friars, that came over from Spain with him, change their habits: but, though he had done it, yet the danger of tumults deserved to be well considered. Pool replied, that, if he must stay till all impediments were removed, he must never go. Those, that were concerned in the abbey lands, would still endeavour to obstruct his coming, since, by that means, they still continued in possession of all that they had got. In conclusion, it was resolved, that Pool should stay for the return of the messenger, that the emperor had sent to England.

Two things appear from this letter; one is, that Cardinal Pool intended only to grant a general discharge to all the possessors of the



abbey-lands, for what was past; but resolved to give no grants of them, for the future, except only to such as should merit it, and for whom the queen should intercede, and whose zeal, in the matter of religion, might deserve such a favour; and it seems, that even the emperor intended no more, and that he thought that this should be kept a great secret. The other is, that the aversion of the nation to popery was, at that time, very high, so that tumults were much apprehended. Yet the whole work was brought to a final conclusion, within two months, without any opposition, or the least tumult: so inconsiderable are popular discontents, in opposition to a government well established, and supported by strong alliances.

Pool, being wearied out with these continued delays, of which he saw no end, writ a long and high flown, or, according to the stile of this age, a canting letter to Philip, then King of England. I send it likewise to you, because you may perhaps desire to see every thing of Pool's writing, for whose memory you have expressed a very particular esteem. He tells the king, that he had been knocking at the gates of that court now a year, though he was banished his country, because he would not consent, that she, who now dwelt in it, should be shut out of it; but, in his person, it was St. Peter's successor, or rather St. Peter himself, that knocked; and so he runs out in a long and laboured allegory, taken from St. Peter's being delivered out of prison, Acts xii. in the Herodian persecution; and coming to Mary's gate, where after his voice was known, yet he was held long knocking, though Mary was not sure, that it was he himself, &c. Upon all which he runs division, like a man that had practised eloquence long, and had allowed himself to fly high, with forced rhetoric. And, to say the truth, this way of enlarging upon an allegory, from some part of scripture story, had been so long used, and was so early practised, that I do not wonder much to see him dress this out with such pomp, and so many words. I shall be very glad, if these papers give you any considerable light in those matters; in which you have laboured so successfully: I am, very sincerely,

Sir, your most humble servant.

W. C.

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*Cardinal Pool's general Powers for Reconciling England to the Church of Rome.*

#### JULIUS PAPA III.

DILECTE filii noster, salutem & apostolicam benedictionem: Dudum, cum carissima in Christo Filia nostra Maria, Angliæ tunc princeps regina declarata fuisset, & speraretur regnum Angliæ, quod sæva regnum tyrannide ab unione sanctæ ecclesiæ catholicæ separatum fuerat, ad ovile gregis Domini & ejusdem ecclesiæ unionem, ipsa Maria primum regnante, redire posse. Nos te, præstanti virtute, singulari pietate, ac multa doctrina insignem, ad eandem

Mariam reginam & universum Angliæ regnum, de fratrum nostrorum consilio & unanimi consensu nostrum & Apostolicæ sedis legatum de latere destinavimus: Tibique inter cætera, omnes & singulos utriusque sexus, tam laicas quam ecclesiasticas, seculares & quorumvis ordinum regulares, personas, in quibusvis etiam sacris ordinibus constitutas, cujuscunque status, gradus, conditionis, & qualitatis existerent ac quacunque ecclesiastica, etiam episcopali, archiepiscopali, & patriarchali; aut mundana, etiam marchionali, ducali; aut regia dignitate præfulgerent, etiamsi capitulum, collegium, universitas, seu communitas forent, quarumcunque hæresium, aut novarum sectarum, professores, aut in eis culpabiles, vel suspectas, ac credentes, receptatores, & fautores eorum, etiamsi relapsæ fuissent, eorum errorem cognoscentes, & de illis dolentes, ac ad orthodoxam fidem recipi humiliter postulantes, cognita in eis vera & non ficta, aut simulata, pœnitentia, ab omnibus & singulis per eos perpetratis (hæreses, & ab eadem fide apostasias, blasphemias, & alios quoscunque errores, etiam sub generali sermone non venientes sapientibus) peccatis, criminibus, excessibus, & delictis, nec non excommunicationum, suspensionum, interdictorum, & aliis ecclesiasticis, ac temporalibus etiam corporis afflictivis, & capitalibus sententiis, censuris & pœnis in eos præmissorum occasione, a jure vel ab homine latis, vel promulgatis, etiam si in iis viginti & plus annis insorduissent, & eorum absolutio nobis & divinæ sedi, & per literas in die cœnæ Domini legi consuetas, reservata existeret, in utroque, conscientiæ videlicet, & contentioso foro, plenarie absolvendi, & liberandi, ac aliorum Christi fidelium consortio aggregandi: Nec non cum eis super irregularitate per eos præmissorum occasione, etiam quia sic ligati, missas & alia divina officia, etiam contra ritus & ceremonias ab ecclesia eatenus probatas, & usitatas, celebrassent, aut illis alias se misceissent, contracta; nec non bigama per eosdem ecclesiasticos, seculares, vel regulares, vere aut fecte, seu aliis qualitercunque incurra (etiamsi ex eo quod clerici in sacris constituti, cum viduis vel aliis corruptis, matrimonium contraxissent prætenderetur) rejectis & expulsis tamen prius uxoribus, sic de facto copulatis: Quodque bigamia & irregularitate ac aliis præmissis non obstantibus, in eorum ordinibus, dummodo ante eorum lapsum in hæresin hujusmodi, rite & legitime promoti vel ordinati fuissent, etiam in altaris ministerio ministrare, ac quæcunque & qualitercunque etiam curata beneficia, secularia vel regularia ut prius, dummodo super eis alteri jus quæsitum non existeret, retinere: Et non promoti, ad omnes etiam sacros & presbyteratus ordines, ab eorum ordinariis, si digni & idonei reperti fuissent, promoveri, ac beneficia ecclesiastica, si iis alias canonice conferentur, recipere & retinere valerent, dispensandi & indulgendi: Ac omnem infamiæ & inhabilitatis maculam sive notam, ex præmissis quomodolibet insurgentem, penitus & omnino abolendi; nec non ad pristinos honores, dignitates, famam, & patriam, & bona etiam confiscata, in pristinumque, & eum, in quo ante præmissa quomodolibet erant, statum restituendi, reponendi, & reintegrandi: Ac eis, dummodo corde contriti, eorum errata & excessus alicui per eos eligendo catholico confessori, sacramentaliter

confiterentur, ac pœnitentiam salutarem eis per ipsum confessorem propterea injungendam omnino adimplerent, omnem publicam confessionem, abjurationem, renunciationem, & pœnitentiam jure debitam, arbitrio suo moderandi vel in totum remittendi. Nec non communitates & universitates, ac singulares personas quascunque, a quibusvis illicitis pactionibus & conventionibus, per eos cum Dominiq̃ aberrantibus, seu in eorum favorem, quomodolibet initis, & iis præstitis juramentis, & homagiis, illorumque omnium observatione, & si quem eatenus occasione eorum incurrissent perjurii reatum, id etiam absolvendi, & juramenta ipsa relaxandi. Ac quoscunque regulares & religiosos, etiam in hæresin hujusmodi ut præfertur lapsos, extra eorum regularia loca absque dictæ sedis licentia vagantes, ab apostasiæ reatu, & excommunicationis aliisque censuris ac pœnis ecclesiasticis, per eos propterea etiam juxta suorum ordinum instituta incursis, pariter absolvendi: ac cum eis ut alicui beneficio ecclesiastico curato, de illud obtinentis consensu, etiam in habitu clerici secularis, habitum suum regularem sub honesta toga presbyteri secularis deferendo, deservire, & extra eadem regularia loca remanere libere & licite possint dispensandi. Nec non quibusvis personis, etiam ecclesiasticis, ut quadragesimalibus & aliis anni temporibus & diebus, quibus usus ovorum & carniū est de jure prohibitus, butyro & caseo & aliis lacticiiniis, ac dictis ovis & carniibus, de utriusque seu alterius, spiritualis, qui catholicus existeret, medici consilio, aut si locorum & personarum qualitate inspecta, ex defectu piscium aut olei, vel indispositione personarum earundem, seu alia causa legitima id tibi faciendum videretur, ut tuo arbitrio uti & vesci possit, indulgendi & concedendi. Nec non per te in præteritis duntaxat casibus, aliquos clericos seculares, tantum presbyteros, diaconos, aut subdiaconos, qui matrimonium cum aliquibus virginibus, vel corruptis secularibus, etiam mulieribus, de facto eatenus contraxissent, considerata aliqua ipsorum singulari qualitate, & cognita eorum vera ad Christi fidem conversione, ac aliis circumstantiis, ac modificationibus tuo tantum arbitrio adhibendis, ex quibus aliis præsertim clericis in sacris ordinibus hujusmodi constitutis, quibus non licet uxores habere, scandalum omnino non generetur, citra tamen altaris ac altæ sacerdotum ministeria, & titulos beneficiorum ecclesiasticorum, ac omni ipsorum ordinum exercitio sublato, ab excommunicationis sententia, & aliis reatibus propterea incursis, adjuncta inde eis etiam tuo arbitrio pœnitentia salutari, absolvendi ac cum eis dummodo alter eorum superstes remaneret, de cætero sine spe conjugii, quod inter se matrimonium legitime contrahere, & in eo postquam contractum foret, licite remanere possent, prolem exinde legitimam decernendo, misericorditer dispensandi: Ac quæcunque beneficia ecclesiastica, tam secularia quam regularia, & quæ per rectores catholicos possidebantur, de ipsorum tamen rectorum catholicorum consensu, seu absque eorum præjudicio, cuicunque alteri beneficio ecclesiastico ob ejus fructus tenuitatem, aut hospitali jam erecto vel erigendo, seu studio universali vel scholis literariis, uniendi, annectendi, & incorporandi, aut fructus, redditus, & proventus, seu bonum beneficiorum dividendi, separandi, & dismem-

brandi, ac eorum sic divisorum, separatorum, & dismembratorum partem aliis beneficiis seu hospitalibus, vel studiis aut scholis, seu piis usibus similiter arbitrio tuo perpetuo applicandi & appropriandi. *Ac cum possessoribus bonorum ecclesiasticorum (restitutis, prius si tibi expedire videretur, immobilibus per eos indebite detentis) super fructibus male perceptis, ac bonis mobilibus consumptis, concordandi, & transigendi, ac eos desuper liberandi & quietandi:* Ac quicquid concordiis & transactionibus hujusmodi proveniret, in ecclesia cujus essent bona, vel in studiorum universalium, aut scholarum hujusmodi, seu alios pios usus convertendi, omniaque & singula alia, in quæ in præmissis & circa ea quomodolibet necessaria & opportuna esse cognosceres, faciendi, dicendi, gerendi, & exercendi: Nec non catholicos locorum ordinarios, aut alias personas Deum timentes, fide insignes, & literarum scientia præditas, ac gravitate morum conspicuas, & ætate veneranda, de quarum probitate & circumspeditione ac charitatis Zelo plena fiducia conspici posset, ad præmissa omnia, cum simili vel limitata potestate (absolutione & dispensatione clericorum circa connubia, ac unione beneficiorum, seu eorum fructuum & bonorum separatione, & applicatione, ac concordia cum possessoribus bonorum ecclesiasticorum & eorum liberatorum, duntaxat exceptis) substituendi & subdelegandi: Ac diversas alias facultates per diversas alias nostras tam sub plumbo quam in forma brevis confectas literas, concessimus, prout in illis plenius continetur. Verum cum tu ad partes Flandriæ ex quibus brevissima ad regnum transfretatio existit, te contuleris, ac ex certis rationalibus nobis notis causis inibi aliquandiu subsistere habeas, ac a nonnullis, nimium forsan scrupulosis, hæsitetur, an tu in partibus hujusmodi subsistens, prædictis ac aliis tibi concessis facultatibus uti ac in eodem regno locorum ordinarios, aut alias personas ut præmittitur qualificatas, quæ facultatibus per te juxta dictarum literarum continentiam pro tempore concessis utantur, alias juxta earundem literarum tenorem substituere & delegare possis: Nos causam tuæ subsistentiæ in eisdem partibus approbantes, & singularum literarum prædictarum tenores, præsentibus pro sufficienter expressis, ac de verbo ad verbum insertis, habentes, circumspectioni tuæ quod quamdiu in eisdem partibus de licentia nostra morum traxeris, legatione tua prædicta durante, etiam extra ipsum regnum existens, omnibus & singulis prædictis & quibusvis aliis tibi concessis & quæ per præsentés tibi conceduntur, facultatibus, etiam erga quoscunque, archiepiscopos, episcopos, ac abbates, aliosque, ecclesiarum tam secularium quam quorumvis ordinum regularium, nec non monasteriorum & aliorum regularium locorum prælatos, non secus ac erga alios inferiores clericos, uti possis, necnon erga alias personas in singulis literis prædictis quovis modo nominatas, ad te pro tempore recurrentes vel mittentes, etiam circa ordines, quos nunquam aut male susceperunt, & munus consecrationis quod iis ab aliis episcopis vel archiepiscopis etiam hæreticis & schismaticis, aut alias minus rite & non servata forma ecclesiæ consueta impensum fuit, etiam si ordines & munus hujusmodi etiam circa altaris ministerium temere executi sint, per te ipsum vel alios, ad id a te pro tempore deputatos, libere

uti, ac in eodem regno tot quot tibi videbuntur locorum ordinarios vel alias personas, ut præmittitur qualificatas, quæ facultatibus per te, eis pro tempore concessis (citra tamen eas quæ solum tibi ut præfertur concessæ existunt) etiam te in partibus Flandriæ hujusmodi subsistente, libere utantur; & eas exercent & exequantur alias, juxta ipsarum literarum continentiam ac tenorem substituere & subdelegare. Nec non de personis quorumcunque episcoporum vel archiepiscoporum, qui metropolitanam aut alias cathedrales ecclesias de manu laicorum etiam schismaticorum, & præsertim qui de Henrici Regis & Edvardi ejus nati receperunt, & eorum regimini & administrationi se ingesserunt, & eorum fructus redditus & proventus etiam longissimo tempore, tanquam veri archiepiscopi aut episcopi temere & de facto usurpando, etiamsi in hæresin, ut præfertur, inciderint, seu antea hæretici fuerint, postquam per te unitati sanctæ matris ecclesiæ restituti extiterint, tuque eos rehabilitandos esse censueris, si tibi alias digni & idonei videbuntur, eisdem metropolitanis & aliis cathedralibus ecclesiis denuo, nec non quibusvis aliis cathedralibus etiam metropolitanis ecclesiis per obitum vel privationem illarum præsulum, seu alias quovis modo pro tempore vacantibus, de personis idoneis pro quibus ipsa Maria Regina, juxta consuetudines ipsius regni, tibi supplicaverit autoritate nostra providere, ipsasque personas eisdem ecclesiis in episcopos aut archiepiscopos præficere: ac cum iis qui ecclesias cathedrales & metropolitanas, de manu laicorum etiam schismaticorum ut præfertur, receperunt, quod eisdem seu aliis ad quas eas alias rite transferri contigerit, cathedralibus etiam metropolitanis ecclesiis, in episcopos vel archiepiscopos præesse ipsasque ecclesias in spiritualibus & temporalibus regere & gubernare, ac munere consecrationis eis hactenus impenso uti, vel si illud eis nondum impensum extiterit, ab episcopis vel archiepiscopis catholicis per te nominandis suscipere libere & licite possint. Nec non cum quibusvis per te ut præmittitur pro tempore absolutis & rehabilitatis, ut eorum erroribus & excessibus præteritis non obstantibus, quibusvis cathedralibus, etiam metropolitanis ecclesiis in episcopos & archiepiscopos præfici & præesse, illasque in eisdem spiritualibus & temporalibus regere & gubernare: Ac ad quoscunque etiam sacros & presbyteratus ordines promovere, & in illis aut per eos jam licet minus rite susceptis ordinibus etiam in altaris ministerio ministrare nec non munus consecrationis suscipere, & illo uti libere & licite valeant; dispensare etiam libere & licite possis, plenam & liberam apostolicam autoritatem per præsentem concedimus facultatem & potestatem: non obstantibus constitutionibus & ordinationibus apostolicis, ac omnibus illis quæ in singulis literis præteritis volumus non obstare, cæterisque contrariis quibuscunque.

*Datum Romæ apud Sanctum Petrum, sub Annulo Piscatoris,  
die 8 Martii 1554, Pontificatus nostri anno quinto.*

*A second Breve containing more special Powers relating to the Abbey-Lands. Julius PP. III*

DILECTE fili noster salutem & apostolicam benedictionem. Superioribus mensibus oblata nobis spe per Dei misericordiam, & charissimæ in Christo Filix nostræ Mariæ Angliæ Reginæ, summam religionem, & pietatem, nobilissimi illius Angliæ regni, quod jamdiu quorundam impietate, a reliquo catholicæ ecclesiæ corpore avulsum fuit, ad ejusdem catholicæ & universalis ecclesiæ unionem, extra quam nemini salus esse potest, reducendi: te ad præfatam Mariam reginam, atque universum illud regnum, nostrum & apostolicæ sedis legatum de latere, tanquam pacis & concordix angelum, de venerabilium fratrum nostrorum, Sanctæ Romanæ Ecclesiæ Cardinalium consilio atque unanimi assensu, destinavimus, illisque facultatibus omnibus munivimus, quas ad tanti negotii confectionem necessarias putavimus esse, seu quomodolibet opportunas. Atque inter alia circumspectioni tuæ, ut cum bonorum ecclesiasticorum possessoribus, super fructibus male perceptis, & bonis mobilibus consumptis concordare & transigere, ac eos desuper liberare, & quietare, ubi expedire posset, auctoritatem concessimus & facultatem, prout in nostris desuper confectis literis plenius continetur: cum autem ex iis principis, quæ ejusdem Mariæ sedulitate et diligentia, rectaque & constante in Deum mente, tuo & in ea re cooperante studio atque consilio præfatum reductionis opus in prædicto regno usque ad hanc diem habet ejusdemque præclari operis perfectio indies magis speretur: eoque faciliores progressus habitura res esse dignoscatur, quo nos majorem in bonorum ecclesiasticorum possessionibus in illa superiorum temporum confusione, per illius provinciæ homines occupatis, apostolicæ benignitatis & indulgentiæ spem ostenderimus. Nos nolentes tantam dilectissimæ nobis in Christo nationis recuperationem, & tot animarum pretioso Jesu Christi Domini nostri sanguini redemptarum, salutem, ullis terrenarum rerum respectibus impediri, more pii patris, in nostrorum & sanctæ catholicæ ecclesiæ filiorum, post longum periculosæ peregrinationis tempus, ad nos respectantium & redeuntium, peroptatum complexum occurrentes; tibi de cujus præstanti virtute, singulari pietate, doctrina, sapientia ac in rebus gerendis prudentia, & dexteritate, plenam in domino fiduciam habemus, cum quibuscunque bonorum ecclesiasticorum, tam mobilium quam immobilium, in præfato regno possessoribus, seu detentoribus, pro quibus ipsa serenissima Regina Maria intercesserit, de bonis per eos indebite detentis, arbitrio tuo, auctoritate nostra, tractandi, concordandi, transigendi, componendi, & cum eis ut præfata bona sine ullo scrupulo in posterum retinere possint, dispensandi, omniaque & singula alia, quæ in his, & circa ea, quomodolibet necessaria & opportuna fuerint, concludendi & faciendi: 'Salvo tamen in his, in quibus, propter rerum magnitudinem & gravitatem, hæc sancta sedes merito tibi videretur consulenda, nostro & præfate sedis be-  
{ neplacito & confirmatione,' plenam & liberam apostolicam auctori-

tate tenere presentium & ex certa scientia concedimus facultatem. Non obstantibus literis, felicis recordationis Pauli P. P. II. predecessoris nostri, de non alienandis bonis ecclesiasticis, nisi certa forma servata, et aliis quibusvis apostolicis ac in provincialibus et synodalibus conciliis edictis generalibus vel specialibus constitutionibus, et ordinationibus: nec non quarumvis ecclesiarum et monasteriorum ac aliorum regularium, et piorum locorum, juramento, confirmatione apostolica, vel quavis alia firmitate roboratis, fundationibus, statutis et consuetudinibus, illorum tenores pro sufficienter expressis habentes contrariis quibuscunque.

*Datum Romæ apud S. Petrum, sub Annulo Piscatoris, die xxviii. Junii, 1554, Pontificatus nostri anno quinto.*

*A Letter of Cardinal Poof's to the Pope, giving an Account of a Conference that he had with Charles the Fifth, concerning the Church-Lands.*

*Beatissime Pater,*

E molto tempo che non havendo cosa d'importanza non ho scritto a V. Santità per non molestarla facendole col mezzo del mio agente intendere tutto quello che occorreva; e benché hora io non habbia da dirle quonto desiderarei, nondimeno mi è parso conveniente scriverle, e darle conto del raggiamento prima havuta con Monsieur d'Arras & poi di quel che ho negotiate con sua maestà. Monsieur d'Arras alli ix che su il giorno istesso che sua maestà torno, essendomi venuto a visitare, trovandosi all' hora meco Mons. Il Nancio, mi disse, che sua maestà havea veduta la lettera che io mandai ultimamente per l'auditor mio, e che ella era benissimo disposta verso questo negotio della Religione in Inghilterra come si conveniva, e si poteva credere per la sua pietate, et anche per l'interesse, che ne seguiria de quel regno et de questi paesi per la congiunctione che e tra loro. Si che quanto a questa parte di disponer sua maestà non accader far altro. Ma che era ben necessario, che io venissi a particolari, et a trattar de gli impedimenti, e della via di rimuoverli: sopra che sua maestà mi udirla molto volentieri, io risposi che veramente non era da dubitare del buono e pronto animo di sua maestà, e che io ni era stato sempre persuassissimo. Ma che quanto pertineva all' officio mio per esser io stato mandato da V. Santità per far intender l'ottima sua mente verto la salute di quello regno, e la prontezza di porgere tutti quei remedii che dall' autorità sua potesser venire; a me non toccava far altro, che procurar d'haver l'adito: e che ad esse principi, quali sono sul fatto, & hanno il governo in mano, le apparteneva, far intendere gli impedimenti, che fussero in contrario: e tornando pur esso Monsieur d'Arras che bisognava che io descendessi alli particolari, io replicai che in questa causa non conveniva in modo alcuno che si procedesse come si era fatto in quella della pace nella quale ciascuna delle parti stava sopra di se non volendosi scoprire, ma solo cercando di scoprirne, l'altra, per rispetto de gli interesse particolari; perciò che questa è una causa

commune e nella quale V. Santità e sua maestà Cesarea, et quei principi hanno il medesimo fine, et noi ancora come ministri. Confermo ciò esser vero quanto al tratar della pace, con dire in effetto in tratar del negotio della pace io mi armo tutto. Ma pur tuttavia cornava a dire, che io dovessi pensare e ragionar in particolare, con sua maestà di quest'impedimenti. E Mons. il Nuncio al hora voltatosi a me disse, che in effetto era bisogno venire a questi particolari: e così al sine restammo che ogniuno ci pensasse sopra.

Alli xi poi nell'andar da S. Maestà Monsieur d'Arras torna a replicarmi il medesimo; nell'audientia di S. Maestà nella quale si trovo presente Mons. Il Nuncio, e Monsieur d'Arras, poichè mi fui ralegrato con sua maestà che havendo liberato questi suoi paesi dalle molestie delle guerre, doppo tanti travagli, e d'animo e di corpo fusse tornato più gagliarda e meglio disposita che quando si parti, in che si videva che il Signior Iddio haveva preservata et preservava a maggior cose in honor di S. Divina Maestà a beneficio commune. Sua maestà confermo sentersi assai bene, e disse dele indispositione che haveva havuta in Arras e altre cose in simil proposito: entrai poi a dire della lettera che io haveva scritta a S. Maestà della risposta che Monsieur d'Arras mi haveva fatta, che era stata di rimettersi al breve. Retorno di sua maestà qui, e dissi che se havessi a trattar questo negotio con altro principe, della pietà del quale non fossi tanto persuaso, quanto io sono certa di quella di sua maestà, dimostrata da lei con tanto segni, e nella vita sua privata e nell'attioni pubbliche, cercaci de essortarlo per tante vie quante si potria ad abbracciar e favorir questa così sancta causa: ma che non essendo bisogno far questo con S. Maestà, e tanto più per esser in questa causa con honor d'Iddio, congiunto anco il beneficio di S. Maestà et del serenissimo re suo figliuolo, solo aspettava da lei ogni ajuto per remover gli impedimenti, che fussero in questo negotio, i quali per quanto io poteva considerare sono di duo sorti: uno pertinente alla Doctrina Catolica, nella quale non poteva esser in alcun modo indulgente, per esser cosa pertinente alla fide ne poteva sanaraltrimente questo male, che con introdure de nuovo la buona doctrina. L'altro impedimento essendo de i beni, gli usurpatori di quali, sapendo la severità delle leggi ecclesiastiche, temevano per questa causa di ritornar all'obedienza della chiesa, desse che in questa parte V. Santità poteva, et era disposta ad usar la sua benignità et indulgenza: e primo quanto alle censure e pene incorse et alla restitutione de frutti percetti, che era di grand'importanza, V. Santità haveva animo, nell'una nell'altra di questo due cose d'usar ogni indulgenza, rimitendo liberamente il tutto: ne pensava d'applicar parte alcuna de detti beni a se, ne alla sede apostolica, come multi temevano: benchè di ragione lo potesse fare, per le ingiurie et danni ricevuti: ma che voleva convertir il tutto in sevitio d'Iddio et a beneficio del regno senza haver pur una minima consideratione del suo privato interesse: et confidandosi nella pietà di quei principi, voleva far loro quest' honore di far per mezzo del suo legato, quelle gratie che paresero convenienti secondo la proposta et intercessione delle loro maestà, a quelle persone che esse giudicassero degne d'essere gratia.



ficate, et atte ad ajutar la causa della religione. Sua maestà rispondendo ringratio prima molto V. Santità mostrando di conoscere la sua bona mente, et con dire, che ella in vero haveva fatto assai: poi disse che per gli impedimenti et occupationi della guerra, non haveva potuto attendere a questo negocio come saria stato il suo desiderio: ma che hora gli attenderia: et che haveva già scritto e mandato in Inghilterra, per intender meglio in questa parte il stato delle cosa, et aspettava in breve risposta: et che bisognava ben considerare fin dove si potesse andare nel rimover questo impedimento d'beni; il quali esso per l'esperienza che haveva havuto in Germania, conosceva esser il principale. Perchioche quanto alla doctrina, disse, che poco se ne curavano questo tali, non credendo ne all'una ne all'altra via: disse anche che essendo stati questi beni dedicati a Dio, non era da concedere così ogni cosa, a quelli che li tenevano: e che se bene a lei io dicessi fin dove s'estendesse la mia faculta, non pero si haveva da far intendere il tutto ad altri: e che sara bisogno veder il breve della faculta per ampliarle dove fusse necessario: alche io risposi haverlo già fatto vedere a Monsieur d'Arras, il quale non disse altra: e dubitando io che questa non fusse via di maggior dilatione dissi a S. Maesta, che devendosi come io intendeva e come S. Maesta doveva saper meglio, fare in breve il parlamento, era d'avertire grandimente, che non si facesse senza conclusione nella causa dell'obedienza della chiesa: che quando altrimenti si facesse, sarebbe d'un grandissimo scandalo a tutto il mondo, e danno alla detta causa: e che se bene la regina a fare un cossi grande atto, haveva giudicato haver bisogno della congiuntione del Re suo Marito, come che non esse 'bonam mulierem esse solam,' se hora che Iddio ha prosperato e condotto al fine questa santa congiuntione, si differisse piu l'essecutione di questo effetto, che deve esser il principio et il fundamento di tutte le loro regie attioni, non restarebbe via di satisfar a Dio, ne a gli huomini: e dicendo S. Maesta che bisognava anco haver grand rispetto alla mala dispositione de gli interessati e quanto universalmente sia arborito questo nome d'obedienza della chiesa, e questo cappel rosso, e l'habito ancora de' religiosi, voltatosi all'hora a Mons. Nuncio e in tel proposito parlando de fratri condotti di Spagna dal Re suo figliuolo che fu consigliato far loro mutar l'habito, se bene cio non si feci, ne si conveniva fare: condire anco di quanto importanza fusse il tumulto del popolo, et in tal proposito toccando anche de' mali officii che non cessavano di fare per ogni via i nemici esterni. Io risposi che volendo aspettare che tutti da se si disponessero, e che cessasse ogni impedimento, saria un non venir mai a fine, perchioche, gli interessati massimamente, altro non vorriano se non che si continuasse nel presente stato non tenere et godere esse, tutto quello che hanno. In fine fu concluso che si aspettasse la riposta d'Inghilterra, col ritorno del secretario Eras, che saria fra pochi di, e che in questo mezzo io pensassi e conferissi di quelle cose con Monsieur d'Arras. V. Beatitudine puo con la sua prudenza vedere in che stato si trovi questa causa; e come sara necessario, che qui si trattino le difficulta sopra questa beni; e per non tediaria con maggior lunghezza quel di piu che mi occurrerà dirle V. Santità si

degnira intendere dall agente mio, alla quale con la debita reverenza bacio i santissimi piedi preguando il Sig. Iddio che la conservi longamente a servitio della sua chiesa. Di Bruxelles alli 13 d'October 1554.

*Reginaldus Card. Polus.*

*A Letter of Cardinal Pool's to Philip the Second, complaining of the Delays that had been made, and desiring a speedy Admittance into England.*

*Serenissime Rer,*

JAM annus est cum istius regię domus fores pulsare cœpi, nedum quisquam eas mihi aperuit. Tu vero, rex, si quæras, ut solent qui suas fores pulsare audiunt, quisnam pulset? atque ego hoc tantum respondeam me esse qui ne meo assensu regia ista domus ei clauderetur, quæ tecum simul eam nunc tenet, passus sum me domo et patria expelli, et exilium viginti annorum hac de causa pertuli. An si hoc dicam non vel uno hoc nomine dignus videar cui et in patriam reditus et ad vos aditus detur? at ego nec meo nomine nec privatam personam gerens pulso, aut quidquam postulo, sed ejus nomine ejusque personam referens, qui summi regis et pastoris hominum in terris vicem gerit. Hic est Petri successor: atque adeo ut non minus vere dicam, ipse Petrus, cujus autoritas et potestas cum antea in isto regno maxime vigeret ac floreret, postquam non passa est jus regię domus ei adimi, quæ nunc eam possidet, ex eo per summam injuriam est ejecta. Is regias per me fores jampridem pulsatur, et tamen quæ reliquis omnibus patent ei uni nondum aperiuntur. Quid ita ejus ne pulsantis sonum an vocantis vocem non audierunt, qui intus sunt? audierunt sane, et quidem non minore cum admiratione divinæ potentię et benignitatis erga ecclesiam, quam olim Maria illa affecta fuerit, cum, ut est in Actis Apostolorum, Rhode ancilla ei nunciasset Petrum quem rex in vincula conjecerat, ut mox necaret, et pro quo ecclesia assidue precabatur, e carcere liberatum ante ostium pulsantem stare. Ut enim hoc ei cæterisque qui cum illa erant magnam attulit admirationem, ita nunc qui norunt eos qui Petri auctoritatem potestatemque in isto regno retinendam esse contendebant, in vincula Herodiano Imperio conjectos, et crudelissime interfectos fuisse, quin etiam successorum Petri nomina e libris omnibus sublata in quibus preces ecclesię pro eorum incolumitate ac salute continebantur, qui inquam hæc norunt, facta ad omnem memoriam Petri auctoritatis a Christo traditæ penitus ex animis hominum delendam, qui fieri potest ut non maxime admirentur hoc divinæ benignitatis et potentię pignus ac testimonium, Petrum nunc quasi iterum e carcere Herodis liberatum, ad regię domus fores unde hæc omnia iniquissima in eum edicta emanarunt, pulsantem stare, et cum hoc maxime mirandum est, tum illud non minus mirum, a Maria regina domum hanc teneri: sed cur illa tamdiu fores aperire distulit. De ancilla quidem illud Marię scriptum est, eam Petri voce audita prænimio gaudio suæ quasi oblitam, de aperiendo

non cogitasse: rem prius, ut Mariæ aliisque qui cum eâ erant nuntiaret, accurrisse, qui cum primo an ita esset dubitassent, mox cum Petrus pulsare pergeret aperierunt, neque illum domo recipere sunt veriti, etsi maximam timendi causam habebant, Herode ipso vivo et regnante. Hic vero quid dicam de Mariâ regina, gaudeo ne eam an timore esse prohibitam quominus aperuerit; præsertim cum ipsâ Petri vocem audierit, cum certo sciat eum ad domus suæ januam jamdiu pulsantem stare: cum admirabilem Dei in hac re potentiam agnoscat, qui non per Angelum, ut tunc Petrum e carcere Herodias, sed sua manu eduxit, dejecta porta ferrea quæ viam ad regiam ejus domum intercludebat: scio equidem illam gaudere, scio etiam vero timere; neque enim nisi timeret tam diu distulisset. Verum si Petri liberatione gaudet, si rei miraculum agnoscit, quid impedimento fuit quo minus ei ad januam lætabunda occurrerit, eumque meritis Deo gratias agens, introduxerit, Herode præsertim mortuo, omnique ejus imperio ad eam delato? An fortassis Divina Providentia quæ te dilectum Petri Filium et ei virum destinarat, illam timore aliquo tantisper effici permisit, dum venisses, ut utriusque ad rem tam præclaram & salutarem agendam, opera atque officium conjungeretur: equidem sic antea hunc Mariæ reginæ conjugis tuæ timorem, quod etiam ad eam scripsi, sum interpretatus: ac propterea ad te nunc, virum ejus, principem religiosissimum, scribo, et abs te ipsius Petri Christi Vicarii nomine postulo, ut illi omnes timoris causas prorsus excutias: habes vero expeditissimam excutiendi rationem, si consideres eique proponas, quam indignum sit si dum te illa corporis sui sponsum accerserit, cum non deessent quæ timenda viderentur, tamen omnem timorem sola vicerit, nunc te tanto principi illi conjuncto, timore prohiberi quominus aditum ad se aperiat sponsæ animæ suæ, mecum una & cum Petro tamdiu ad fores expectanti; qui præsertim tot & tam miris modis custodem ejus se, defensoremque esse declaraverit. Noli enim, rex, putare, me, aut solum ad vestram regiam domum, aut uno tantum Petro comitatum venisse; cujus rei hoc quidem tibi certum argumentum esse potest, quod tamdiu persevero pulsans: nam sive ego solus venissem, solus jampridem abissem, querens & expostulans quæ aliis omnibus pateant, mihi uni occlusas esse fores; sive una mecum solus Petrus, jampridem is quoque discessisset, meque secum abduxisset, pulvere pedum excusso, quod ei præceptum fuit a Domino ut faceret quotiescunque ejus nomine aliquo accedens non admitteretur. Cum vero nihil ego, quod ad me quidem attinet conquerens, perseverem, cum Petrus pulsare non desistat, utrumque scito ab ipso Christo retineri, ut sibi sponso animæ utriusque vestrum aditus ad vos patefiat. Neque enim unquam verebor dicere, Christum in hac legatione, qua pro ejus vicario fungor, mecum adesse: quamdiu quidem mihi conscius ero me nihil meum, me non vestra, sed vos ipsos toto animo omnique studio quærere. Tu vero, princeps Catholice, cui nunc Divina Providentia et benignitate additum est alterum hoc præclarum fidei defensoris cognomen, quo reges Angliæ Apostolica Petri autoritate sunt aucti atque ornati, tecum nunc considera quam id tuæ pietati conveniat, cum omnibus omnium principum ad te legatis aditus patuerit, ut tibi de hoc ipso cognomine adepto

gratularentur, solum successoris Petri qui hoc dedit, legatum, qui propterea missus est ut te in solio regni divina summi omnium regis quam affert pace et gratia, confirmet, non admitti? An si quidquam hic ad timorem proponitur, quominus eum admittis non multo magis Christi hac in re metuenda esset offensio, quod ejus legatus qui omnium primus audiri debuit, tamdiu fores expectet, cum cæteri homines qui multo post venerunt, nulla interposita mora, introducti auditique sint & honorifice dimissi. At hic conqueri incipio; conqueror quidem, sed idcirco conqueror, ne justam tuæ majestati causam de me conquerendi præbeam, quam sane præberem, si cum periculi, quod ex hac cunctatione admittendi legati a Christo vicario missi, nobis vestroque regno impendat, reginam sæpe admonuerim, nihil de ea re ad majestatem tuam scriberem; quod officium cum tibi a me pro eo quo fungor munere maxime debeatur, id me satis persoluturum esse arbitror, si his literis ostendero quantum periculi ei immineat, cui illud vere dici potest, 'distulisti Christum tuum.' Is autem Christum differt, qui legatum missum ab ejus vicario, ad requirendam obedientiam ecclesiæ, ipsi Christo debitam, ex quo nostra omnium pendet salus, non statim admittit. Differt vero, tu princeps, si cum accersitus fueris ut pro munere regio viam ad hanc divinam obedientiam in tuo isto regno restituendam munias, ipse alia agas.

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## COPIES OF TWO PAPERS

WRITTEN BY

THE LATE KING CHARLES THE SECOND,

OF BLESSED MEMORY.

Folio, containing four Pages.

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### *The First Paper.*

**T**HE discourse we had the other day, I hope, satisfied you in the main, that Christ can have but one church here upon earth; and I believe that it is as visible, as that the Scripture is in print, that none can be that church but that which is called the Roman catholick church. I think you need not trouble yourself with entering into that ocean of particular disputes, when the main, and, in truth, the only question is, where that church is, which we profess to believe, in the two creeds? We declare there to believe one catholick and apostolick church; and it is not left to every fantastical man's head to believe as he pleases, but to the church, to whom Christ left the power upon earth, to govern us in matters of faith, who made these creeds for our directions. It were a very irrational thing to make laws for a

country, and leave it to the inhabitants to be the interpreters and judges of those laws; for then every man will be his own judge; and, by consequence, no such thing as either right or wrong. Can we therefore suppose, that God Almighty would leave us at those uncertainties, as to give us a rule to go by, and leave every man to be his own judge? I do ask any ingenuous man, whether it be not the same thing to follow our own fancy, or to interpret the Scripture by it? I would have any man shew me, where the power of deciding matters of faith is given to every particular man. Christ left his power to his church, even to forgive sins in heaven; and left his Spirit with them, which they exercised after his resurrection; first, by his apostles in these creeds, and many years after by the council at Nice, where that creed was made, that is called by that name; and, by the power, which they had received from Christ, they were the judges even of the Scripture itself, many years after the apostles, which books were canonical, and which were not. And, if they had this power then, I desire to know how they came to lose it, and by what authority men separate themselves from that church. The only pretence I ever heard of, was, because the church has failed, in wresting and interpreting the Scripture contrary to the true sense and meaning of it; and that they have imposed articles of faith upon us, which are not to be warranted by God's word. I do desire to know: who is to be judge of that: whether the whole church, the succession whereof has continued to this day without interruption; or particular men, who have raised schisms for their own advantage.

*This is a true copy of a letter, I found in the king my brother's strong-box, written in his own hand.* JAMES R.

#### *The Second Paper.*

IT is a sad thing to consider what a world of heresies are crept into this nation; every man thinks himself as competent a judge of the Scriptures, as the very apostles themselves; and it is no wonder that it should be so, since that part of the nation which looks most like a church, dares not bring the true arguments against the other sects, for fear they should be turned against themselves, and confuted by their own arguments. The church of England, as it is called, would fain have it thought, that they are the judges in matters spiritual, and yet dare not say positively, that there is no appeal from them; for either they must say, that they are infallible (which they cannot pretend to), or confess, that what they decide, in matters of conscience, is no further to be followed, than it agrees with every man's private judgment. If Christ did leave a church here upon earth, and we were all once of that church, how, and by what authority, did we separate from that church? If the power of interpreting of Scripture be in every man's brain, what need have we of a church or church-men? To what purpose, then, did our Saviour, after he had given his apostles power to bind and loose in heaven and earth, add to it, that he would be with them, even unto the end of the world? These words were not spoken parabolically, or by way of figure;

Christ was then ascending into his glory, and left his power with his church, even unto the end of the world. We have had, these hundred years past, the sad effects of denying to the church that power, in matters spiritual, without an appeal. What country can subsist in peace or quiet, where there is not a supreme judge, from whence there can be no appeal? Can there be any justice done, where the offenders are their own judges, and equal interpreters of the law with those that are appointed to administer justice? This is our case here in England, in matters spiritual; for the protestants are not of the church of England, as it is the true church, from whence there can be no appeal; but because the discipline of that church is conformable at that present to their fancies, which, as soon as it shall contradict, or vary from, they are ready to embrace, or join with the next congregation of people, whose discipline and worship agrees with their opinion at that time; so that, according to this doctrine, there is no other church, nor interpreter of Scripture, but that which lies in every man's giddy brain. I desire to know, therefore, of every serious considerer of these things, whether the great work of our salvation ought to depend upon such a sandy foundation as this? Did Christ ever say to the civil magistrate (much less to the people) that he would be with them to the end of the world? or, Did he give them the power to forgive sins? St. Paul tells the Corinthians, 'Ye are God's husbandry, ye are God's building; we are labourers with God.' This shews who are the labourers, and who are the husbandry and building: and in this whole chapter, and in the preceding one, St. Paul takes great pains to set forth, that they, the clergy, have the spirit of God, without which no man searcheth the deep things of God; and he concludeth the chapter with this verse: 'For who hath known the mind of the Lord, that he may instruct him? but we have the mind of Christ.' Now, if we do but consider, in human probability and reason, the powers Christ leaves to his church in the Gospel, and St. Paul explains so distinctly afterwards, we cannot think that our Saviour said all these things to no purpose; and, pray, consider, on the other side, that those, who resist the truth, and will not submit to this church, draw their arguments from implications and far-fetched interpretations, at the same time that they deny plain and positive words; which is so great a disingenuity, that it is not almost to be thought that they can believe themselves. Is there any other foundation of the protestant church, but that, if the civil magistrate please, he may call such of the clergy as he thinks fit for his turn at that time, and turn the church either to presbytery, independency, or, indeed, what he pleases? This was the way of our pretended Reformation here in England; and, by the same rule and authority, it may be altered into as many more shapes and forms, as there are fancies in men's heads.

*This is a true copy of a paper, written by the late king my brother, in his own hand, which I found in his closet.*

JAMES R.

A COPY OF A PAPER,  
 WRITTEN BY  
 THE LATE DUCHESS OF YORK.

Folio, containing two pages.

**I**T is so reasonable to expect, that a person always bred up in the church of England, and as well instructed in the doctrine of it, as the best divines and her capacity could make her, should be liable to many censures, for leaving that, and making herself a member of the Roman Catholick Church, to which, I confess, I was one of the greatest enemies it ever had; that I chose rather to endeavour to satisfy my friends by reading this paper, than to have the trouble to answer all the questions that may daily be asked me. And first, I do protest, in the presence of Almighty God, that no person, man, or woman, directly, nor indirectly, ever said any thing to me, since I came into England, or used the least endeavour to make me change my religion: it is a blessing I wholly owe to Almighty God, and I hope the hearing of a prayer I daily made him, ever since I was in France and Flanders; where, seeing much of the devotion of the catholicks, though I had very little myself, I made it my continual request to Almighty God, that, if I were not, I might, before I died, be in the true religion. I did not in the least doubt but that I was so, and never had any manner of scruple till November last; when, reading a book, called, 'The History of the Reformation,' by Dr. Heylin, which I had heard very much commended, and had been told, if ever I had any doubt in my religion, that would settle me; instead of which, I found it the description of the horridest sacrileges in the world; and could find no reason why we left the church, but for three the most abominable ones that were ever heard of among Christians: first, Henry the Eighth renounces the pope's authority, because he would not give him leave to part with his wife, and marry another, in her life-time; secondly, Edward the Sixth was a child, and governed by his uncle, who made his estate out of church lands.

And then Queen Elisabeth, who, being no lawful heiress to the crown, could have no way to keep it, but by renouncing a church that could never suffer so unlawful a thing to be done by one of her children. I confess, I cannot think the Holy Ghost could ever be in such councils; and it is very strange, that, if the bishops had no design, but, as they say, the restoring us to the doctrine of the primitive church, they should never think upon it, till Henry the Eighth made a breach upon so unlawful a pretence. These scruples being raised, I began to consider of the difference between the ca-

tholicks and us; and examined them, as well as I could, by the holy Scripture, which though I do not pretend to be able to understand, yet, there are some things I found so easy, that I cannot but wonder I had been so long without finding them out; as the real presence in the blessed sacrament, the infallibility of the church, confession, and praying for the dead. After this, I spoke severally to two of the best \* bishops we have in England, who both told me there were many things in the Roman church, which, it were, very much to be wished we had kept; as confession, which was, no doubt, commanded by God: that praying for the dead was one of the ancient things in Christianity: that, for their parts, they did it daily, though they would not own it; and, afterwards, pressing one of them † very much upon the other points, he told me, that if he had been bred a catholick, he would not change his religion; but, that being of another church, wherein, he was sure, were all things necessary to salvation, he thought it very ill to give that scandal, as to leave that church wherein he had received his baptism.

All these discourses did but add more to the desire I had, to be a catholick, and gave me the most terrible agonies in the world, within myself. For all this, fearing to be rash in a matter of that weight, I did all I could to satisfy myself; made it my daily prayer to God, to settle me in the right, and so went on Christmas-day to receive in the King's chapel; after which I was more troubled than ever, and could never be in quiet, till I had told my desire to a catholick, who brought a priest to me, and that was the first I ever did converse with, upon my word. The more I spoke to him, the more I was confirmed in my design; and, as it is impossible for me to doubt of the words of our blessed Saviour, who says, The holy sacrament is his body and blood; so I cannot believe, that he who is the author of all truth, and who has promised to be with his church to the end of the world, would permit them to give that holy mystery to the laity but in one kind, if it were not lawful so to do.

I am not able, or, if I were, would I enter into disputes with any body; I only, in short, say this, for the changing of my religion, which I take God to witness, I would never have done, if I had thought it possible to save my soul otherwise. I think I need not say, it is any interest in this world leads me to it: it will be plain enough to every body, that I must lose all the friends and credit I have here, by it; and have very well weighed, which I could best part with, my share in this world or the next: I thank God I found no difficulty in the choice.

My only prayer is, that the poor catholicks of this nation may not suffer for my being of their religion; that God would but give me patience to bear them, and then, send me any afflictions in this world, so I may enjoy a blessed eternity hereafter.

*St. James's, Aug. 20, 1670.*

\* Dr. Sheldon, Archbishop of Canterbury, and Dr. Blandford, Bishop of Worcester.  
 † Dr. Blandford, Bishop of Worcester.



THE DESIGNS OF FRANCE  
AGAINST ENGLAND AND HOLLAND

DISCOVERED ;

Or, the Intrigues of that Crown, for the utter ruin of both those  
Nations laid open. With allowance \*.

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ADVERTISEMENT TO THE READER.

These papers (which were intended to be published before this time, had the press been open for such truths) plainly discover the cunning intrigues, wicked designs, and unchristian practices of the French king, for the overthrow of England and Holland, and with them the Protestant religion. If this account be (as it is hoped) approved of, a further information may be expected from the same hand.

**H**ENRY the Eighth, king of England, did, in his time, cause a medal to be stamped with a hand stretched out of a cloud, holding a balance in equal poise, whereof both the scales represented Spain and France, with this motto. *Cui adhæreo præest*, i. e. My alliance weighs it down. It seems, that prince well knew his own might; whereas now England may be compared to an ox, who, being insensible of his own strength, quietly submits himself to the yoke. Evident it is, that England has many advantages beyond other kingdoms, but especially this, that, being an island, it can easily secure itself against any foreign force; they, that intend an invasion against it, must be obliged to cross the seas, and struggle with the winds and waves, and all the hazards and dangers of that unstable element, besides a very potent fleet, which alone is sufficient to deter their hardest enemy from any such design. Now, this being so, it is manifest that the King of England (having peace, and a strict alliance, with Holland) can over-balance the party he designs against.

This is a truth, France is so fully convinced of, that, notwithstanding the great antipathy there is between both nations, he has hitherto spared nothing, and is still turning every stone, to take off England from its true interest, and to engage it on his side, or, at least, to oblige it to stand neuter, and to be an idle, unconcerned spectator of the horrid tragedy the French King acts upon the theatre of Europe, because he well knows that England is better able to prevent it, and spoil his sport, than any other state or kingdom

\* Supposed to be printed anno 1686. Quarto, containing twelve pages.

whatsoever, and rescue Europe from the universal slavery he prepares for it.

Would the King of England only be pleased to open his eyes, fast closed with the enchanted slumbers of the French Dalilah, to take a view of his own strength, and true interest, he should soon find himself making another figure amongst the princes of Europe, than of late years he hath done, and with ease mount that high degree of power and glory, of being the professed umpire of the universe, the sovereign mediator and decider of controversies, and the giver of peace to all Europe, which France, in a vain bravado, pretends to, when indeed he is the sole troubler of it.

To arrive at this transcendent pitch of grandeur and authority, two things only (which the king of England may do when he pleases) are requisite. The first is, that his majesty do comport himself so, as to engage the love of his people, and keep a right understanding between him and his parliament. And the second, that he enter into a strict alliance with Holland, living in sincere amity, perfect union, and good correspondence with them, in order to their common defence and security. The former of these is very easy, and the king will do it, as soon as he shall resolve to desire nothing of his Parliament, but what is agreeable with the laws of the realm, which, by his coronation-oath, he is obliged to observe and maintain; and the latter will be found to be of absolute necessity, as soon as the King of England shall please to stop his ears to the false suggestions of France, and stifle those jealousies and resentments, which his emissaries daily buz into his head; there being nothing to fear for England from the States, whose desire is not to enlarge their dominions (as France does) by invading those of their neighbours, but only to keep what God has given them, and to maintain their subjects in the liberty they now enjoy.

This France so well knows, that he leaves no stone unturned to prevent it, and continually sends forth some crafty turbulent spirits to sow the seeds of division and misunderstanding between the king and his parliament. Thus the spirit of France was at work, to exasperate the episcopal party against the Presbyterians, and again the Presbyterians, and other nonconformists, against them, making them believe that the bishops favoured popery, and would not fail to prove turncoats, as soon as a favourable opportunity should be offered them, and that the king did incline the same way, with a thousand like suggestions; which so set the people against the king, and filled the parliament with such jealousies, that they often granted his then majesty but very little of what he demanded, and gave him so much work at home, that he had no leisure to consider what was doing abroad. It was France that first kindled the civil wars in the time of Charles the First, which cost England so much blood, the French ambassador, that was then at that court, boasting at his return from thence, That he had kindled a fire in England, which should not be quenched of a long time, and that the English, for twenty years to come, would not be in a condition to claim anything of France.

To the kindling of this unhappy flame, one father Joseph, a Capuchin friar, did much contribute under hand, by means of the papists, especially those that were in the parliament's army. But now, since the King \* of England has thought good to change his religion, France also has altered his battery, and turned all his great guns against the church of England; and so far are the minds of men irritated against one another, that his British majesty will not, this good while, be in a condition to look any where else but at home, where he is like to meet with so many crossings and thwartings of the designs he is carrying on, that he will find it a hard matter to break through them, and accomplish the thing he aims at, and so zealously affects. And, whilst these heart-burnings continue between the king and his people, he will be forced to be continually upon his guard, and to keep his forces about him, and cast about his thoughts how to raise a fund to maintain them, and thereby give an opportunity to France to possess himself of the Low Countries, and of Spain† too, in case that king should chance to die, which happy hour, France, with a great deal of impatience, looks for.

As for the second point, viz. a league with the United Provinces, and a right understanding and good correspondence between those two governments, to oppose all powers that would invade and trouble the peace of Christendom, it is certain that the States, for their parts, would most gladly embrace the proposal, if they saw any likelihood of engaging therein with safety, and being seconded upon occasion; of which, indeed, there is but little probability, as long as affairs shall continue, in the condition wherein they are at present. This indeed is the thing, which, of all others, France would be very loth to see, because the hearty union of these two governments would, in all probability, put a stop to the French king's undertakings, overturn all his designs, and put him into an utter incapacity of attempting any thing against the peace of Nimeguen, or the truce with the emperor. But France carries a watchful eye to prevent this capital inconvenience, and that by an assiduous fomenting and cherishing feuds, and animosities, between those two nations, and improving every occurrence to this purpose; of which we have a fresh instance in the business of Bantam, which had been long ago made up, but that France (who finds it best fishing in troubled waters) thinks it more for his interest, that it should remain undetermined; which is the very reason why it was never made an end of, but kept as a reserve for a quarrel upon occasion. That there can be nothing so evidently destructive of the French designs, as this union between England and Holland, is very apparent; England can, when it pleases, overturn the projects of France against the Spanish Netherlands; neither could that king ever have taken Luxemburg, if the late king of England had had the least inclination to oppose him in that attempt; but the French king so well knew how to take him by the blind side, that he did not perceive the mischief till the city was taken. It was a capital error for England to part with Dunkirk, a place that opened a passage for them to France and

\* King James the Second. † This came to pass in regard to Spain, as here prophesied.

the Low-Countries: but it would make the matter much worse, if all those countries should be fain to submit to the tyranny of Lewis the Great, and he, by this means, should join Newport and Ostend \* to Dunkirk; for then would Flushing follow by consequence, and that king be put into a condition to dispute the sovereignty of the sea with his British majesty, and destroy the navigation and commerce of this flourishing kingdom. Having got thus far, he would proceed to an intire conquest of the United Provinces; which point being once gained by him, England would have but little reason to flatter itself with the hopes of a better lot. Renowned Queen Elisabeth, of happy memory, was so sensible of what is here alledged; that she told Monsieur de Sully, the French King's ambassador at her majesty's court, that neither France, nor England, nor any other prince, or state whatsoever, ought to lay any claim to the Low Countries, and that she would never suffer the king, his master, to make the least attempt that way. Upon which Monsieur de Sully sent word to his master, Henry the Fourth, ' That, notwithstanding the opposite sentiments of the queen, his majesty might, by means of great forces, keep his friends within their own bounds, and possess himself of such territories and cities in the Low-Countries, as should be necessary to join France and the United Provinces wholly and inseparably together: which was, (said he) the only way to restore France to its primitive grandeur and glory, and pitch it above the rest of Christendom; for if, by any means, the provinces of Luxemburg, Juliers, Mark, Mons, Aix, and Cleves were once united to France, there was no doubt, but the rest of the country would be forced to follow their example, being deprived of all communication and correspondence with the rest of the world.' Sure it is France has always inclined this way, since they have observed, that they could not compass their design by Italy, as the Romans of old; which conquest, tho' it be the interest of all princes of Europe to prevent, as much as in them lies; yet it is evident that these two states, who are nearer at hand, and can better do it, are the most of all concerned to put a stop to the progress of the French in the Low-Countries, which would not fail to be attended with dismal consequences to them, as before mentioned. As for Spain, it is a body deprived of the use of its limbs, and to which nothing remains but that of its tongue, viz. To pray and intreat its good friends and allies not to forsake it. But none can do more than England, towards the preservation of the Low Countries; and, if his British majesty had not promised to stand still, Luxemburg would still be in the state wherein it was formerly, and a bone for France to pick. The French king is so well aware of this, that he takes all the care he can to keep the King of England on his side, or, at least, to remain neuter, in case he will not declare himself for him. To which purpose he spares nothing, neither presents, pensions, nor arts, to keep all safe on that side. But, alas! this money, and those presents of France, are like a snake hid under rose-leaves. This is a smiling hy, which hereafter will prove a deadly sting. They are iron chains

\* As the scheme was laid by the French king this summer, 1744.

gilded over to deceive the eyes of those who now admire what hereafter they will have occasion to lament, if they do not betimes discover the cheat of him, who designs to enslave them. England subsists by balancing the crown of France and Spain, and keeping them in equal poise; wherefore it must needs be the interest of that kingdom, by all means possible to prevent the Low-Countries from becoming an occasion to the over-weight of France, lest, by this means, it should be incapacitated to maintain the balance of Europe for time to come. For if ever, by ill fortune, the French king should make himself master of all the seventeen provinces, as it is his great aim, and may easily be brought to pass, if the States be not seconded, what condition will England then be in? France will be stronger than they at sea, and in the Indies, and consequently interrupt their commerce and navigation, by keeping a great fleet abroad, especially in the channel, so that nothing shall be able to stir out of the English havens, but by their leave; and, upon the least occasion, the total conquest of England must needs ensue, and that without remedy, there being no-body in a condition to stave off their final ruin.

Moreover, the true interest of England is to keep France low, as well to preserve the dominion of the sea, as to find a favourable occasion to recover those ancient dominions the French king keeps from them, as are the dukedoms of Bretagne, Normandy, Poictou, Languedoc, nay France itself; for of the marriage of the King of England with Margaret, daughter to Philip the Fair, was born Henry the Fifth, King of England, who had the same right to France as the Dauphin has to Spain. The three sons of King Philip the Fair, viz. Lewis Hutin, Philip the Tall, and Charles the Fair, died all without issue male; and it was not till after this, when the King of England prosecuted his right to the kingdom of France, that the Salick law was made, upon a speech of the Bishop of Beauvais's in the assembly of the states, in which he endeavoured to make out from an allusion to that place of the gospel, 'the lillies spin not:' that the crown of France ought not to fall to the distaff. But that law could not prescribe to time past, but only to that which was to come, and consequently could not invalidate the King of England's pretensions. After this, Henry the Fifth, entering France with a powerful army, and having defeated the French in several battles, married Catharine, daughter to Charles the Sixth, and, in the year 1441, it was concluded, that Henry should be King of France. Isabella also, who was Queen of France, and mother to Catharine Queen of England, made her last will in favour of her son-in-law, declaring him therein the sole heir of all her estate and of the crown, which increases the just pretensions, and strengthens the rights of England to the kingdom of France.

Had the French king but half the pretensions to England, which the King of England has to France, the world would soon hear of nothing but manifesto's to prove them just, as he calls all he does.

So that the King of England ought upon all occasions, and in all respects, to suspect France, and to beware of him as a most danger,

ous enemy, who flattered and humoured his late majesty,\* only to lull him asleep, that he might play his game without being disturbed or interrupted by him, who, whenever it shall please him to mind and be true to his own interest, will undoubtedly carry the greatest stroke in the affairs of Europe.

It is therefore no wonder, that King Lewis the Fourteenth spared nothing that might supply the necessities or provide for the pleasures of the late King Charles the Second, as Monsieur Barillon and the Dutchess of Portsmouth can witness. But I must tell you, that the French king considers no-body, whether prince or private person, any further than as they may be serviceable to promote his own ends; yea virtue itself is not esteemed by him, except it go hand in hand with his interest. Do but consider what account he made of the princes and princesses of England in Cromwell's time: Were they not obliged to quit France, and to seek for entertainment elsewhere? And it is notorious, that he never contributed any thing towards the late king's restoration, till it was past his skill to hinder it.

So that, upon the whole, neither the resentment of the royal family, nor the interest of England, will allow of such strict alliances with France, as might tie up the king of England's hands, and make him an idle spectator, whilst Lewis the Great makes himself master of the Low-Countries; but, on the contrary, he must always be ready to oppose any the least attempt he shall make toward it, making use in the mean time of the six regiments he has in Holland, which the States will not deny him on that account, till he can send some other troops over to Flanders. I am persuaded that those six regiments will be able to make head against double the number of Frenchmen; and, when England shall thus be pleased but to shew its teeth, all Europe will thereby be safe. 'Resist the Devil, and he will fly from you; but, if you fear him, he will make you his slaves.' France has cut out work enough for King James the Second, and the business that he hath taken in hand is so great, that many people fear, and others hope, he will never compass it. It is not a time to alter old laws, when the enemy is at the gates; it is not always seasonable for a king to act the missionary,† but much more requisite that he shew himself a brave soldier and good politician. All the world was in expectation of great things from his majesty; his courage put all Europe in hopes of an universal relief, and some respite for Spain; but how has he frustrated and befooled their hopes, whilst his sole study is to please the Jesuits, and to kindle a fire in his own kingdom, which probably he will never be able to quench, when he would, as long as he dares not convene a free parliament.

As Spain became depopulated by the departure of the Moors, so is France greatly weakened and impoverished by the dragoon conversion, and flight of the protestants; and the French king would fain see England brought to the same pass. It is a presumption to rob God of his right, it is to him the honour of converting does belong, that work surpassing the power and activity of a creature.

\* King Charles the Second.

† To preach religion to his subjects.

So, leaving that care to God, the King of England ought to lay out his endeavours about preserving his dominions from becoming a prey to that ambitious prince, by obliging him to keep within his own bounds, and not to inroach upon his neighbours territories; and, in so doing, the king will make good the hopes and expectation Europe has conceived of him.

*The Designs of France against the United Provinces.*

AFTER the States of the United Provinces had, by their powerful arms, constrained Spain to acknowledge them a free state, who owed allegiance to none but God alone, they were, for a time, the object of their neighbours admiration and envy, every one endeavouring to court and make alliances with this growing state, which began to be looked upon as the umpire of Europe; but this high reputation of theirs has suffered a notable eclipse since the war of 1672, when France, having brought them to the very brink of destruction, pleased himself with the thoughts of seeing them tumble headlong into the pit he had digged for them; neither would he have been mistaken in his hopes, had not the people given a sudden and unlooked for turn to the face of affairs, by declaring the Prince of Orange Stadtholder; the providence of Almighty God, at the same time, concurring with their endeavours, to preserve that small spot of ground, by confounding and daunting their enemies, who, after the taking of Naerden, were struck with such a panick fear, that they ran away, none pursuing them.

Now, what contributed most to the mischiefs, they were involved in at that time, was, that, besides the treasonable correspondences which France held with some principal members of that government, they had neither any good troops, nor a commander in chief, and, relying on the peace and fair promises of France, they were well nigh lulled asleep by that fatal melody, whilst that king was hard at work to undermine the foundation of their dear-bought liberties and government. We find in time of peace the soldiers grow idle, as well as their arms rusty. Ease pleaseth and flatters us, and men are soon persuaded to lay aside the exercise of arms, to betake themselves to a more gainful way of living; so that, when the enemy approaches, they are readier to embrace shame, when joined with profit and pleasure, than to strive for glory, surrounded with difficulties and dangers.

France knew very well, that, so long as the United Provinces had no general, that soldiery could not be but in a very bad condition, and incapable of defending them from the attempts of a powerful enemy; wherefore he took special care, by cunning practices and false suggestions (exasperating the minds of the opposite party) to prevent the Prince of Orange's being advanced to those places of trust and dignity, his Royal Highness is now so deservedly possessed of.\* By this means the States grew daily weaker and weaker, their

\* What clearer memorial would the Dutch have to bring them out of their present lethargy when almost under the same delusion?

troops were dissipated, their fortifications neglected, their strongest holds went to decay, their magazines were unfurnished, whilst France was raising troops under-hand, and making secret alliances with England, the Elector of Cologne, and Bishop of Munster, in order to their final ruin. Du Plessis is much in the right, when he says, 'That a state is not to be judged strong or weak, but with relation to the strength or weakness of its neighbours; and that it is upon that score, that wise princes endeavour to keep themselves, as much as they can, in equal poise with their neighbours, to the end, they continue in peace and amity together; for, as soon as this fails, all peace and good correspondence are dissolved, as being only grounded upon a mutual fear or esteem for one another.' Which is so true, that a prudent prince is always jealous of the least advance or motion of his neighbour, though in a time of truce or peace, and is continually upon his watch, endeavouring to be informed of his designs before they be brought forth; for, by this means, he puts him by his measures, and frustrates his purposes. In which point many princes and states, who are too saving, fail very oft; and this covetousness of theirs costs them and their people very dear, by occasioning a most expensive war, which, at the first, by precaution, might have been prevented with a small matter. France is so well informed of this truth, that they neglect nothing in such cases, and their ambassadors in all the courts of Europe are supplied with money for that very purpose, who, knowing they cannot please their master better, than by corrupting one or more of the ministers of the prince or state at whose court they reside, are day and night contriving for it, and spare nothing to bring it about. Yea, when it happens that they cannot prevail with the man himself they aim at, they endeavour to gain his wife, or, in case they chance to be so unhappy as to fail there also, they condescend to make their application to some of their children; nay, so humble are they, and such slaves to their master's ambition, that they will not stick to bribe their servants, and furnish them with money proportionable to the service they are able and willing to do them.

These are the maxims that speed their designs wonderfully well in such states as are governed by many heads, as the United Provinces; which are a great bar to the French king in his aim of conquering the Spanish Netherlands, who very well knows, that, being master of the one, he cannot miss of the other. His great business therefore is, to lull the States of the United Provinces asleep with a truce, which he will break, when he pleases, being in hopes that their forces will, in the mean time, be neglected, in laying out themselves wholly to propagate and encourage trade and navigation. For that king is well aware, that the States, being awake and standing on their guard, will never consent to his possessing himself of the Spanish Netherlands, at least they ought not to do it, since that is the only bar and rampart which hinders France from overwhelming them, which they ought, therefore, by all means to endeavour to preserve whole and intire, as one would his neighbour's house from being set on fire.



What pains did not Count D'Avaux take to set one province against the other, and to sow divisions among the cities of Holland? How busy was he at Amsterdam? What proffers or promises did he spare to bring it about? Which is a thing so publickly known from that ambassador's frequent journies to that great city, that the very children were not ignorant of it. We must not imagine that Mombas was alone engaged in this\* treason against the state, but rather that he, escaping into France, has left several behind him, that walk in the dark, and are not yet discovered. The best of it is, that Count D'Avaux begins to be known; and his insinuations not believed, he having but too long imposed upon the credulity and good nature of many, who, now perceiving the cheat, will scarcely suffer themselves to be decoyed a second time. And, as France was diligent to sow these divisions and jealousies amongst them at home, so was he no less industrious in fomenting differences between England and them, as knowing very well, that these neighbouring powers, when joined together, are able to give check to his pride, and set bounds to his ambition. How pleasing a sight is it to the French king to see them engaged one against each other, and pursuing his interest at so vast an expence of their own blood and treasure? The last war between those two states was some difference about matters of commerce, and, whilst the King of England was arming, the French king offered to engage in a treaty with Holland, on purpose to amuse and divert them from putting themselves in a posture of defence, as they soon after perceived; when France, instead of concluding the treaty, begun with them, and declared himself for England; and, whilst the latter attacked them by sea, he invaded their country with a puissant army; and, supposing the conquest of those provinces indubitable, they had before-hand divided them amongst themselves, England being to have for its share all the maritime places, and France all the rest; Amsterdam only proved a bone of contention, and occasioned some difference between them, both the one and the other desiring it for his share; though indeed they had no reason to be in a heat about it, seeing all this was but reckoning without their host, God preserving it from falling into either of their hands. Thus, a peace being, at last, concluded with England, the spirit of France was at work again to withdraw the states from their allies; and, finding that things were about to change face, and that the Dutch, being roused by a discovery of the artifices and treachery of France, began to look about them, and their troops, having a good general † at the head of them, became considerable and formidable, he thought fit, for a while, to dismiss the lion and act the fox, restoring Maestricht unto them, in order to obtain the peace of Nimeguen. Since which time that king has contented himself to bark afar off, and was so apprehensive of the States raising the last six-thousand men, that Count D'Avaux spared nothing to prevent it,‡ and will do so still, as often as the States shall go

\* And whoever reads of the negotiations of Mr. Bellie in Germany, and the intrigues of M<sup>r</sup>. Chetardie of late in Muscovy, cannot think that these two ministers fall any wise short in the art of lying, treachery, corruption, and treason.

† William, Prince of Orange.

‡ Did not Mr. Fencelon do the same lately?

about to arm themselves, because that would stop the great Lewis in the full career of his conquests, and make his designs to prove abortive. I say again, that it is the great concern of Holland, not to suffer the Spanish Netherlands to be lost, except they desire, at the same time, to become a prey to the usurper. For, how easily will he find an occasion of quarrel with them? and, if all else fail, he will make out his pretensions and right to those provinces, for that they formerly belonged to Mary of Burgundy, Philip the First, Charles the Fifth, and afterwards to Philip the Second, who were, without contest, the lawful possessors thereof, and that, afterwards rebelling, they obtained, by force, an acknowledgment of their being a free state. He will proffer to maintain them in all their liberties and privileges, and the free exercise of their religion, in case they willingly submit to him; which, if they should hearken to, he will by little and little clip their franchises, and remove all protestants from places of trust, as he has done at home; and, if they yield not willingly, he will attack them with an armed hand, as he did in 1672, being sure the Roman Catholick Princes will not oppose him, because he has blinded their eyes with the false pretence of religion. But, if the house of Austria be not aware betimes of the snares he lays for them under these specious prettexts, they will find themselves deceived, when it is too late to recall their inadvertency.

To return to the United Provinces, I say, they ought, next to God, not to rely upon any thing so much as their own forces; and having nothing so much to fear as France, they ought to provide and strengthen themselves against his power chiefly, who has, for this great while, been plotting and contriving their final overthrow, or, at least, the bringing of them so low, as to be forced to depend solely upon, and truckle under him. It has some time since been observed, that France has had a strong desire to make Holland listen to the proposal and treaty, which the wolf in the fable made with the sheep: 'Put away from you (said the wolf to those harmless creatures) your shepherd and dog, and we will make an alliance, and live in love and amity together.' In like manner, says Lewis the Great, 'Dismiss your general, and disband your old troops; for, to what purpose those unnecessary charges in a time of peace; especially being so well assured of our friendship, by the truce I am engaged in, and the word of a king, which you may safely rely on, that we will live in all amity and good correspondence with you?' But what says the Italian; 'Trust not, if thou would'st not be cheated.' So that it is still safest for Holland to rely wholly on its own strength, and to have always a good fleet at sea, to serve for convoy and cruising, besides a reserve in readiness to join them, in case of need. A good navy may well be called the right hand of that government, being of great use in dispelling many clouds and ill designs which France hatcheth against his neighbours. And, if ever the States should come to a resolution, continually to keep in pay a certain number of seamen, to be ready to be put aboard their men of war, at any time, this would produce a double effect.

The first is, that the States would always have men ready at hand,

upon occasion (without the expence of trouble and time in raising of them) who, by their continual employment, would be trained up, and well used to the sea, and naval conflicts.

The second is, that by this means they would not fail to draw a great number of seamen from the neighbouring coasts, continual pay being no small encouragement to mariners, to betake themselves to the service of those that offer it, but more especially the States subjects, in foreign service, would not fail to return to their own country, to enjoy the benefit of being maintained all the year round.

To effect which, the States need only to publish a placart, strictly enjoining all seamen, their subjects, in foreign service, to return home. True, indeed, it is, that the navy of France will but be little the better for it; for I dare affirm, they can fit out very few men of war, without putting some Dutch mariners, especially pilots, a-board them, as trusting more to their knowledge and experience than their own, who are often at a loss in long voyages. Which good and wholesome resolution, whenever the States shall be pleased to take, you will presently see the spirit of France strangely exasperated and disturbed, and his ambassador running from one city to another, to represent his master's just reasons against it. But it is hoped, that, as Count D'Avaux has much laid open himself to an obvious discovery, by the small effects his promises have had hitherto, as not being seasoned with the salt of truth and honesty (the main thing that keeps up the credit and reputation of a minister in foreign countries) so he will do nothing but catch cold. However, I cannot deny, but the French king is beholden to that great minister, for his having inspired a fondness for France into the minds of several of the States subjects, which their lordships have no reason to thank him for. Besides this, France receives no small service from the Jesuits, and other foreign priests, residing in the United Provinces, who have pensions allowed them, to pry into, and engage the inclinations of many there. These spies are in the prince's court, where they have friends, by whose means they make a shift to pry into the very secrets of the cabinet. How many of this sort of cattle are there in the States troops and garisons, who have their correspondents at the Hague, where the general office of intelligence is kept, as being the center of that government. This is a thing that ought to be more narrowly looked to, these spies being no other but the emissaries of France, who is always restless, and spares nothing that may further his designs. I remember, that not long since four dueatoons a week were proffered a servant of a deputy of the States, only to report what he heard from his master, at table, or in conversation with others; but the servant, with sharp words, rejected the proffer, as became an honest man.

This instance shews, that France sets upon people every way, and that, therefore, one had need always to stand upon his guard to avoid the blow. I have also observed, that there are another sort of petty spies, that run up and down the chief towns, especially the Hague, daily shifting their ordinaries, except they find occasion to stay longer, and are in prospect of some advantage to be reaped there, of whom those, who are obliged to frequent such houses,

ought to beware. Others intrude themselves into companies, or resort to the court, and go to see the prince and princess at dinner and supper, to hear and see what is said or done there ; and, as soon as they have heard or seen any thing of concern, you see them run like foot-boys to the French ambassador, who, for a reward, invites them to stay and eat with him, he now entertaining scarce any but such at his table. I could name a dozen of them who, to my knowledge, are employed in this way, besides those that do it more secretly, and go to the offering only at night, and through the stable-door.

Count de Caravas, one of these spies of great note, though, in my judgment, of as little use, was not so cautious, who, coming from court, would go into the ambassador's at the fore-door, in the middle of the day, to communicate to him his collections. Two persons, whom I know to be Jesuits, though in the garb of officers, resort every day to the prince's rising, dinner, and supper, and continually attend the court, where they have so many friends, or at least so much cunning, as to be able to procure their Catholick friends some employment, who are all emissaries of France, and wholly devoted to the service of that king. Others have put themselves to serve even in the kitchen, where such sort of cattle are very dangerous. Therefore, I conclude, that both the States and Prince of Orange ought even in all respects, and at all times, to be very cautious of the wicked and unchristian maxims and designs of France, the king himself being a false and perjured person, who, under pretence of establishing the Roman Catholick religion every where (though by his wicked life and breach of faith he denies all religion) has no other aim, but to extend his dominion to the uttermost bounds of Europe, and to that end to destroy first all the protestant princes, and then the Roman Catholick too, that so he may cause himself to be proclaimed not the Emperor of the Romans only, but of all Europe ; and certain it is, that nothing can serve him as a bridge to the universal monarchy, but Holland, which, from his Versailles, he looks upon with a most envious eye. So that the States and people of those provinces have great reason to mind the advice of our Saviour to the Jews : ' Watch, for you know not what hour the thief will come.' To which I add : ' Be ready, therefore, to oppose him when he shall come to break into the house, and usurp his neighbour's territories ; and be sure to look upon France as a sworn enemy to republicks, and the plague and scourge of all that will not yield their liberties up to him.'

True it is, he fears the States, more than he loves them ; care, therefore, must be taken, to be always in such a condition as may still keep him so, and to make him know himself, whenever he shall so far forget himself, as to meddle with what he has nothing to do. All the remonstrances made by Count d'Avaux, as soon as he sees the States putting themselves in a posture of defence, must not be minded, as being merely upon design ; for we may be sure that minister would not make them, were it not for the promoting of his master's interests.

PHILOSOPHICAL AND MEDICINAL ESSAY  
OF  
THE WATERS OF TUNBRIDGE.

WRITTEN TO A PERSON OF HONOUR;

BY PAT. MADAN, M. D.

Temporibus medicina juvat; data tempore predest,  
Et data non apto tempore Lympha nocet.

[From a quarto, containing 26 pages, printed at London, for the  
Author, in 1687.]

MY LORD,

IT was your honour's pleasure to ask my judgment, concerning Tunbridge waters, because I often recommend my patients to them; which, in my opinion, are not inferior in medicinal vertues to any spaw of that kind; for by their effects, which is an \* after-demonstration, they are impregnated with a chalcantinous or vitriolate juice; which, with its sulphureous particles, irritates and moves the belly to a blackish excretion, and, by frequent drinking thereof, blackeneth the tongue, because this member, being of a spongy substance, imbibes some sooty sulphureous minims into its porosity, occasioning this tincture.

Thro' its more subtle piercing chalcantinous spirita, it provokes urine in a plentiful manner.

To these is admixed some ferrugineous juice, that contains a great deal of the volatile salt, which is it that is dissolved in the chalybeate wine, now so much in vogue amongst physicians.

*His aquis ferrum inesse videtur in principiis solutis unde earum vis chalybeata intimius sanguine permiscetur, & potentius morbos expugnat, quam ferrum quocunque demum artificio nobilitatum.*

' These waters seem to contain iron in its unconcrete and seminal principles, whereupon their chalybeate vertue is more intirely mixed with the blood, and more powerfully attacks diseases, than iron prepared to the best advantage can.'

Dr. SYDENHAM.

' Mars in itself consists chiefly of salt, sulphur, and earth. It has very little of spirit and water, and particles of the former elements, especially the sulphureous and saline in the mixt are combined together with earth, remain wholly fixed; but being loosed and divided from each other (as in these waters) have a very efficacious energy.'

Dr. WILLIS *de Chalybeatiss.*

\* Demonstrativo a posteriori.

In them galls shaven, or oak-leaves added; or, by pouring to them some infusion of tea made in water, they will become of an atro-purpureous colour; to which, instilling some drops of spirit of vitriol, or pouring thereunto some sherry, they become clear again and redintegrate their pristine colour. On the surface of these waters there is a grey film in the morning; they have a roughness in the mouth; with them no arsenical vapours are intermixed, but, void of all noxious quality, are limpid and salutiferous; many do daily receive benefit by the use of them, wherefore, by \* the concurrence of these appearances, they have the characteristic of a good and-whole-some spaw.

As for their virtues and properties in physick, I believe, if there be any such remedy in being as a *panpharmacum*, or universal remedy, it is here; for even as soap, put to foul linnen with water, purgeth and cleanseth all filth, and maketh them to become white again; so these waters with their saponary and deterfive quality clean all the whole microcosm or body of man from all feculency and impurities. Vid. the first region, by stool; the second, by urine; the third, by transpiration, sending forth from the center to the circumference many sooty and fetid effluvioms, which, in some, colour their shirts blackish; † an observable quantity of this liquid substance, gliding through the inner passages of the bowels, brushes off the peccant humours that stagnate in their proper channels, and roots out the cause and origin of diseases. The *acidulæ* also dissolve tartarous and viscous matter, and correct the hot indispotion of the liver and kidneys. See the author *Fridericus Losius in Conciliis Medicis*.

Wherefore the use of these waters have deservedly gained a great esteem and reputation in curing many chronick and rebellious diseases, which are accounted the shame of physicians; for they cure, even to a miracle, such as are quite given over by doctors; they may well be called *aquæ vitæ*, or waters of life, because they restore men to life, and make them live twice; ‡ to enjoy their former health is to live again, for sickness, and neutrality of health, as the Greeks say, is but *βίος ἀβίαιος*, 'to live without life;' wherefore § life is not only to live and breathe, but also to have perfect health; and that is got here by drinking.

¶ Physicians, when they have tired their miserable afflicted patients with tedious and chargeable courses of physick (finding all ways else unsuccessful) at last send them to these waters, which they lay hold of, as a sacred anchor, for they are the most efficacious and powerful remedy against the greatest and most inveterate diseases, by

\* Syndrome phalaenomenon.

† Hæc enim substantia liquida notanda quantitas, per intimos viscerum recessus præter suum, peccantes et in propriis cuniculis stagnantes succos egregie everrit morborumque causam everruncat, materiam tartaream et viscosam dissolvit: hepatis quoque et renum calidam intemperiem corrigit.

‡ Quis vita priori posse frui est bis vivere.

§ Non est vivere, sed bene valere, Vita Martiel.

¶ Ad hæc aquas medici, postquam ægros magno et sumptuoso medicamentorum apparatu longo tempore defatigarunt, cum vident res sibi ex voto non succedere, miseros relegant, tanquam ad sacram anchoram; sunt enim efficacissimum et potentissimum remedium ad profligandos gravissimos morbos a Deo concessuta, si dextra manu porrigantur, quod postea ex primis his verbis.

the appointment of Almighty God, provided they are made use of in a due and right manner; which the poet expresses in these words:

*Publica morborum requies, commune medentum  
Auxilium, præsens numen, inemptaque salus,  
Amissum reparant lymphis impune vigorem,  
Pacaturque ægro luxuriante dolor.*

‘ Diseases publick ease; a common heal,  
‘ A free.cost health; a God does never fail,  
‘ Vigour to men restore with ease, avail,  
‘ All pain in wanton patients does assail.’

‘ But if you take them in the left hand, or by the wrong handle,  
‘ they cause thousands of diseases, and hasten even death itself.’

*Fredericus Lossius in Conciliis de Morbis Hypochondriaci.*

\* Chalybeates cure not so much by opening obstructions of the viscera, as by depressing the exaltations of sulphur and fixed salts, and by volatilising the blood much depauperated and made effete as in cachectick bodies; for they communicate a volatile sort of ferment, as a spur to the effete and languid mass of blood, by which the spirits, that before lay gasping, as it were, and pressed down with their own weight, are excited and made more lively, by invigorating the blood, and renewing the ferment; for, as soon as chalybeate medicines are made use of in the green-sickness, the pulse becomes suddenly greater and quicker; the external parts of the body grow hot; the face is no longer pale and dead coloured, but fresh and purpled with blood itself.

Betwixt the ferment of the stomach and chalybeates, there is a mutual conflict, as appears by the nidorolent belches and eructations after taking them, as if one had eaten hard fried eggs; in this re-action chalybeates undergo a dissolution within the viscera of concoction, and the active particles, both sulphureous and saline, display themselves, and, mixing with the nutritive juice, are carried into the blood which they inactivate.

Chalybeate waters, by their many and divers seminary principles with which they are embryouated, are very powerful and efficacious in curing of many and divers diseases, though they be of a contrary nature and disposition; for they serve not only as a bridle, but also as a spur; yet, I would not advise them to be drank indifferently by all constitutions and sexes, without the advice of a physician, who, by his prudent conduct and management, weighing all † indications, contra-indications, and co-indications according to discretion, may obviate all symptoms that may arise, and thereby render them more useful and effectual; the potation of waters, thus circumstantiated, may deserve to be called the most powerful hand of God; and keep their reputation untainted; but, without this cau-

\* Etenim massæ sanguineæ effertæ et languescenti volatile quoddam fermentum, seu calcaria, subdit, a quo excitantur et quasi eriguntur spiritus antea jacentes et suo pondere pressi: sanguinem vigorat ejusque vim *expansivam* redintegrat: nam, quoties chalybeata in chloresci seu febre alba vel amatoria propinantur, pulsus derrepente major fit et celerior: exteriora corporis incalescunt, facies non amplius pallida et morti concolor, sed virida cœtur et sanguine purpurata. *Fredericus Lossius.*

† Κατ' ἀρχάς.

tion, they may prove a sword in a madman's hand, and not at all auxiliary, but pernicious and hurtful; hence comes the saying, \* 'That steel is the worst instrument of death, and best of life;' wherefore our learned and well-experienced doctors now-a-days abbreviate the tedious and various therapeutick method of physick, and in lieu of it prescribe their patients only a chalybeate course, to satisfy all intentions, judging it to be *instar omnium*, or equivalent to all other prescriptions, † and, as a learned physician was wont to say; 'As true as steel.'

The sanative vertues and energies of those waters are beyond any *polypharmacon* prescription imaginable, being very prevalent against frequent giddiness and *scotomia*, passions of the heart, and fainting of spirits, with a fear and dread, as it were, of present death. In hypochondriacal and hysteric fits, by suppressing the *anathymiasis* of ill vapours, and hindering damps to exhale to the head and heart, no remedy more effectual. In scurvy, which is an endemick disease, it is an appropriated and specifick remedy, by correcting the depraved ferments, and dulcifying the blood. In hemorrhages, taken with advice, it is of great strength and force; in both obstructions and overflowing of the terms also, an excellent remedy. It is good against all obstructions of the liver, spleen, and mesentery: *leucophlegmatia*, *febris alba*, seu *amatoria*, or green-sickness, stone, and gravel; nay, it cures hydrophobia, or the disease, called 'the fear of water,' commonly contracted by the bite of a mad dog, methodically drank.

Moreover, these waters are endowed with an admirable and powerful faculty, in rendering those who drink of them fruitful and prolific; by reason of their spirituous ferment, they enliven, invigorate, and actuate the whole mass of blood, the nobler parts of the body and spirits thereof: Likewise reduce them from a saline or sulphureous dyscrasy, and sometimes from both, to a sweet balsamick, spirituous, and sanguineous temperament, ‡ which naturally incites and inspires men and women to amorous emotions and titillations, being previous dispositions, enabling them to procreation. This may be the aitiology of this product in some sense.

Venus comes from the salt sea, through many crannies, interstices, pores of the earth, and dangerous precipices, foaming to meet her beloved Mars in the bowels of the earth; whom she no sooner embraces, but she is impregnated and big with a valiant hero, in the bed of honour, with no insipid delight: from thence, soon after this digression, she rises triumphing in our hemisphere at Tunbridge, generously imparting and distributing this impregnative faculty to her votaries, in order to preserve and perpetuate mankind. §

To her, Mars, in a poetical rhapsody, speaks:

*Tu Dea! tu rerum naturam sola gubernas,  
Nec sine te quidquam, dias in luminis oras,  
Exoritur: nec sit lætum nec amabile quicquam.*

\* Perissimum mortis sed optimum vite instrumentum.

† Ut hujus veluti panaceæ usus cætera possit excusare medicamenta.

‡ Actiones sequuntur temperamentum corporis. § Omne bonum sui communicativum



## 130 A PHILOSOPHICAL AND MEDICINAL ESSAY

'Thou goddess! turnest Nature's wheel,  
'To thee all beings do appeal;  
'Without thee, neither joy nor love we feel.

So passionate was he for a married Venus: To these lines I may annex a poetical hypothesis, *de aquis chalybeatis*, or chalybeate waters, made by a learned and ingenious man, alluding to the preceding discourse:

*Quid valet obdurum placide dissolvere Martem ?  
Ecce Venus madidans mollit amore Deum.  
Spuma maris transit telluris sedula rimas,  
Quemq; ardet juvenem ; quærit ubiq; furens.  
Non erit ergo novum si nostris emicet undis,  
Hic Martem exultans convenit illa suum.  
Salsis in terræ thalamo complexibus hument,  
Surgit & explosus colliquefactus amor.  
Hinc tantis dignæ ferratæ laudibus undæ :  
Mars præbet robur : dat Venus alma decus.  
Huc quæis forma perit : huc, huc, properate puellæ,  
Vos pulchras reddit candida lympha Deas.  
Huc properate senes, curvans quos deprimet ætas,  
Ecce Dei vires exhibet unda sui.  
Ventriculos implete mares : implete puellæ,  
Quos bibilis fontes rivos amoris erunt.  
Posthac de Baccho sileant proverbialia : friget  
Non sine Lenæo, sed sine Marte Venus.*

'What thing can reach Mars his hard heart?  
'Tis Venus only has the dart.  
'The foaming sea finds Terra's chinks,  
'And mad with love into 'em sinks.  
'Tis nothing strange if Venus rise,  
'And both in joy, here, sympathise.  
'Moisten'd in salt embraces bed,  
'She melted, rising rears her head.  
'Hence waters fame of iron race,  
'Mars gives the strength, Venus the grace;  
'Come hither, dames, whose beauties fade,  
'A goddess in a trice is made.  
'Come hither, old, whom age has bent,  
'God's power is omnipotent.  
'Drink, men and women, drink and swell,  
'You can't drink dry kind Cupid's well.  
'Drink, sirs and ladies; he, she dove,  
'What here you drink, increases love.  
No more of Bacchus; Venus chill  
'Appears, when Mars has no good-will.  
'Nay, only then, to say I'm bold,  
'Venus is so, when Mars is cold.

Notwithstanding all these encomiums of the waters, yet some are of opinion, they are not proper in some kind of maladies: as in

a rheumatism, nor in hectic fevers, or consumptions: first, by reason of the ill success they are wont to have in using these waters. Secondly, because in them the parts are much weakened, and nature cannot throw off the glut of waters sent into the blood. In rheumatic persons the nervous juice degenerates from its crasis, and inclines to a sharpish nature, and is wont to be perverted by the fluid salts of the spaw-waters: as Dr. Willis well observes, 'as for hecticks, they are commonly of a fine texture of body, much distempered with heat, dryness, and costiveness; all which symptoms are rather increased by chalybeates, than abated:' wherefore the learned Dr. Willis, in his chapter of chalybeates, says, 'that steel is not very proper in very hot and spirituous blood, nor where the bowels are of a hot temperament:' neither are these waters good, but rather hurtful to those who are in perfect health, according to Hippocrates's sentiments, who says, *medicamenta non conveniunt sanis*: medicaments are not convenient for sound and healthy persons. Moreover, they are judged not proper for women with child; because whatever provokes urine, as these waters do, provokes also the terms; and whatever provokes them in women, causes miscarriage; therefore not fit for them in this circumstance.

Old and ancient persons are not to be too bold in drinking these waters, because their ferments, and natural faculties, are much debilitated by decay of nature, and not sufficient to exert their function, in distributing these waters, which, if remaining in the body, and not carried off, suffocate the vital flames of the heart and arteries: wine therefore for them is most convenient. \* For God has given wine as a physick-help against the morose austerity of age, that, by the moderate use thereof, old men may, in a manner, renew their lives, and forget their aches; even the habit of the mind, from a hardened condition, is become soft, as iron, by the help of fire, is made more tractable; whereupon wine is called *lac senum*, the old man's milk.

The method, which is to be observed in drinking these waters, is as followeth: First, to drink for three or four days every morning Epsom or North-Hall waters, to purge the body, and prepare it in order to Tunbridge; for, unless the first passages are cleansed, medicines, designed for any use, will be depraved by the filth residing in them. These purging waters may be drank to three or four pints, either raw or boiled, and altered with milk. This being done, drink of Tunbridge, walking gently to the fountain-head. † For waters are more pleasant and profitable, taken at the fountain-head; whence once removed, they lose their vivifick spirits, in which all virtue does reside; which afterwards no diligence can recover.

For, being impregnated with spirituous and volatile exhalations, they easily lose their virtue by the avolation of fugitive parts being

\* Deus enim vinum hominibus quasi auxilium adversus senectutis austeritatem pharmacum largitus est, ut reviviscere videantur, & morositatis oblivio capiat: atque ipse animi habitus, molliis et duro factus ut ferrum igni impositum, tractabilior fiat, unde vinum a nonnullis lac senum nominatur. *Loeius.*

† Nam dulcius & utilius ex fonte bibuntur: delatæ enim ex propriis fontibus fieri non potest, quin amittant vivificos illos spiritus in quos; omnis vivamentum vis consistit, quos nullo postea labore restitui potest. *Bucchius de Thermis.*

carried at a distance: That they are embodied with such subtle parts, you may experience it sensibly, by putting a bottle half full of them, about sun-rising, to your eyes; and from thence you will perceive such emanations of effluvia to come analogous to those of orange-peel when squeezed, as will stimulate and irritate the tender tunics of your eyes. This I have by tradition from a physician, who for many years frequented Tunbridge, and made great scrutiny into the nature and *idiosyncrasia* of these waters; yet this I know, that chalybeate waters in long deportation, or being some space of time out of the fountain, will not tinge with galls or oaken leaves, at least not so intensely as before; whence I deduce that, in carriage to some distance, or being long out of the fountain, they are divested of their martial, and consequently medicinal power.\*

They are to be drank gradually, and with leisure, not in great draughts, with little or no intermission, because they are chiefly prescribed to purify and keep in its due crasis the blood and nervous juice, to open obstructions, and strengthen the tone of the *nervous plexus*: Now this they effect, by insinuating subtle and active particles, of a different state and origin, into the *morbific mineral*, conquering and subduing saline and irritative particles residing in the blood, and carrying some forth as prisoners, by urine. This mutual + contest, betwixt the combatants of chalybeates and their antagonist, cannot be expected to be at an end in haste, or in a short space of time; but after many attacks and several collisions, and, as I may say, broken pates: but precipitate drinking destroys all these intentions, and leaves no time for alteration, assimilation, or mortification of particles of a different nature and figure; wherefore it is better to ‡ hasten slowly, and drink them leisurely, with due intervals.

Moreover, great draughts are generally held pernicious, destructive, and rather oppressing than alleviating nature; and, considering these waters are not vertuated so much by their quantity as quality inherent in them, the body participates more of the latter, frequently drinking a little, than by pouring in a vast and stupendous quantity at one time, like *Tricongius Mediolanensis*, who drank three gallons at one draught, and from thence took his name.

The compass of time, wherein the waters are usually drank, is an hour, or an hour and a half, walking betwixt whiles moderately, § till you look red, but not sweat, lest you divert them from the urinary passage to the periphery of the body, for the same matter goeth by sweat as by urine, and cause too great an effervescency in the blood.

The measure of time to continue the drinking of these waters, for good effect, is commonly a month, or six weeks: but, by the authority of Claudinus, and many other doctors, we may continue a steel course for the space of a year: Why not *a fortiori*, or much

\* Unumquodq; quo magis elongatur a principio eo magis languescit. † *oxyphila*.

‡ *omnis gradus*. Festina lente Hippos, omne nimium naturæ inimicum, quod vespere statim fit, tutum est, præsertim si ab uno ad aliud progrediatur.

§ Ad ruborem sed non ad sydorem.

more, the use of these waters with as much safety and benefit, they being the most perfect course of steel ; because here the elements of steel are in unconcrete and seminal principles, and display themselves, as I before mentioned out of Dr. Sydenham : Supposing, in this administration, there be respect had to the patient's strength, disease, euphory, or well-bearing, temperament of the air, and other circumstances.

They are to be taken, gradually increasing and lessening the dose at the beginning, and before the end of the whole space of time appointed for the taking of them. In reference to the number of glasses, in my judgment, you may make it either odd, or even : tho' some philosophers, who are of opinion, that all things are composed of number, prefer the odd before the other, and attribute to it a great efficacy and perfection, especially in matters of physick : wherefore it is that many doctors prescribe always an odd pill, an odd draught, or drop, to be taken by their patients. For the perfection thereof, they alledge these following numbers. As seven planets, nine wonders of the world, nine muses, God is three and one ;\* with many other examples, which, for brevity, I supersede, and let them abound in their own sense.

If there fall rain, then the waters are not seasonable, because they will be too much diluted and weakened ; but a little wet does no harm, but rather good, because it washes the salt in the † crannies and interstices of the earth into the fountain, and more intensely impregnates them.

To correct the crudities and rawness of the waters, and to accelerate their passing, carraway confects, and such like candied seeds masticated, are very good, and much commended, taken betwixt whiles : likewise a glass of small white-wine is a proper vehicle ; and for all those who are inured to tobacco ‡ nothing better than a pipe of it for this effect, taken betwixt whiles. Those, to whom it is offensive, taken alone, may add thereunto some tea leaves, or catechu, to qualify the ingrateness thereof, and render it inoffensive, taken pipe-wise. This warms the stomach without mixing any heterogeneous body with the waters, that may obstruct their distribution and passing, for it rarefies the pores and meatus in order thereunto.

It is observed, that, in some, the waters, being drunk at the fountain-head, either by the inclemency of the weather, or indisposition of patient, will not easily pass, but remain too long in the body, to their great prejudice and detriment. To these persons my advice is, to drink them in their warm bed, without sleeping (which hinders all evacuation) for, as I said before, the gentle heat of bed dilates the passage, and consequently the distribution of the waters is much facilitated.

The regimen, which is observed in eating and drinking at those waters, is as followeth : first, eschew all gross and obstructive meats, as, pork, beef, duck, pudding, sausages ; all fried victuals, as, eggs,

\* Numero Deus impare gaudet.

† Virtus unita fortior se ipsa dispersa.

‡ Nulla salutifero præstantior herba tabaco.

Interpone tuis interdum pocula fumis.

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collops of bacon, most sorts of fish and salads; all soused and pickled meats, as, anchovies, cucumbers, &c. refrain from milk, and all milk-meats; eat no roots, or any sort of fruit; let your meat be of easy digestion, and nutritive, as the Greeks say, *εὐχρηστὸν καὶ πολύτρεπον*. Keep no days of fast or abstinence, during this time, if I may advise you as a physician, and not as a casuist, lest I inroach upon another's province, *tractent fabrilis fabri*, every one in his own sphere.

Fast three or four hours after the waters, and, if at dinner you have an esurine appetite, take care not to eat too much, because the quantity of waters, you drank, has relaxed and distended your stomach; therefore little eating is best, according to the Latin proverb, *Qui multum edere optat parum comedat*: He, that desires to eat much, must eat little. Avoid variety of meats; but, if you indulge yourself to several sorts, let the easier of digestion precede the grosser, and not be postponed, as the Greeks advise us, *εὐχρηστὰ δυνάτωρ*.

Let your drink be clear, well fermented, not stale, nor sowre, not thick, nor muddy, not heating, nor cooling, but temperate; all ale is prohibited, because thick and muddy.—

*Nihil spissius illa dum ingeritur; nihil clarius cum egeritur:*  
*Ergo in corpore relinquit multas faeces.*

‘ It goes in thick, and comes out thin,  
‘ And therefore leaves its dregs within.’

Begin your meals with a glass of white-wine\*; I recommend Anjou wine beyond others, because it is small, clear, light, very diuretick, and of a singular virtue against the stone, or gravel, and all obstructions of the mesentery: yet, tho’ you begin with liquids, nevertheless, be advised to conclude with solids: by this means you first wash and fortify your stomach, and at last close the orifice thereof, that no fumes or vapours arise to disturb your head. The French, who are esteemed a wise nation, are always observed, *boucher la bottle*, to stop the bottle, lest nothing exhale; so like-wise they close their stomach with some *desair*, or sweet-meat, after eating, for the same intent.

All excesses and debauchery, with late sitting up at nights, is pernicious and destructive, during this time, for many reasons, which I here omit, because every one may experience it easily in himself, after such nocturnal lucubration; therefore, *bibas ut vivas, sed non vivas ut bibas*; drink to live, but not live to drink.

To change your linnen often will be convenient, if not necessary, while you drink these waters, because many sooty, fetid, sulphureous steams come from them, which render your shirt black, and some other particles obstruct the pores of your body, and make them impervious, and hinder insensible transpiration; which is an evacuation far greater, and more considerable, than any manifest or sensible

\* Incipe cum liquido: sicco finire momento. Schola Salernitana.  
*Ut vites pascam, de potibus incipe carnam.*

one, either by stool, or urine, according to *Sanctorius de Sanctorio*, in his *Medicina Statica*.

During the time you drink these waters, it is necessary to take some gentle medicine every fourth or fifth night going to bed, or in a morning early, drinking these waters thereupon, after the physick hath begun to work.—Here aloetick medicine is held offensive, by reason it consists of acrimonious and lixivial parts, apt to heat and corrode the viscera: but this is easily resolved, if to the aloetick physick you mix some resinous, or balsamick substance, which may lenify, mitigate, hebetate, and obtund the fiery alkalies of aloes: and with this correction, or preparation, it is not only rendered less hurtful, but particularly an appropriated medicine to be taken with these waters: my usual pill is *℞ Massæ pilul. ruffi ʒi. resinæ jalap gr. iij. balsam Peru q. s. f. pilulæ iij. sumendæ hora somni, superbibendo mane aquas prædictas ad lb. iij. plus minusve*. Many doctors give *diacassia cum manna* to an ounce over night, which is a good eccoprotick, fit for all ages and constitutions, and leaves no ill *diathesis* in the viscera. Another rare eccoprotick and eophractick remedy is highly commended with these waters, which is *tinctura cathartica*, an ounce of which, or an ounce and a half, given in the first glass, purgeth *cito, tuto, jucunde*, soon, safe, and pleasantly: for no violent catharticks are proper with these waters, for fear of agitating and irritating nature too much, and making an ill impression on the blood and viscera. I know some, who, in lieu of physick, will take in the first glass, to purge them, a spoonful of common salt, with very good success; but this remedy is not proper for all constitutions.

Those who are obnoxious to stone or gravel, and frequent these waters, my advice is, that, the night preceding drinking them, they take an emollient clyster; and in the morning, an hour or two before the waters, to swallow four or five pills of Venice, or Chios turpentine.

Likewise, in the first glass, to take an ounce of syrup of marshmallows; or let them take the bigness of a bean of *lucatellus balsam*, or turpentine pills, especially if there be any excoriation in the kidneys, or bladder, every night going to bed, with an ounce of the said syrup in the first glass every morning, and an emollient clyster every third or fourth night; because, by these means, the passages are lubricated, and the distribution of the waters rendered more easy.

Hypochondriacal persons may take, in the first glass, a spoonful or two of the syrup of steel, or a dram of *cremor tartar* in powder; and so likewise in all other distempers, to mix specifics with chalybeates, is the opinion of Dr. Willis *de Morbis Hypochondriacis*, and many other learned physicians; for, in so doing, they associate their operation against the malady.

Now, as to the *animi pathemata*, or passions of the mind: Those, who drink these waters, must be facetious, merry, chearful, gay, jovial, free from melancholy, jealousy, suspicion, discontent, peevish-

ness, &c. \* because such passions as these corrode both soul and body; impede the benefit they may reap by the waters; nay, in lieu of health, they may catch their death; so great is the sympathy betwixt body and soul in their disorders.

ἀδυνατοὶ κακῶς ψυχῆς ἰσχυροὶ μὴ ἔσσι καὶ σῶμα αὐτῇ συνεῖσι: *Non sine animo corpus, nec sine corpore animus, bene valere potest*: the mind without the body, nor the body without the mind, cannot be well. —What a catastrophe have passions of the mind with fear and apprehensions of death (which of all things is the most terrible) made in condemned persons bodies in few days? Insomuch that those, who were, before condemnation, young, vigorous, intrepid, magnanimous, &c. were afterwards metamorphosed into old, effete, pusillanimous, decayed bodies, with grey hair, and Hippocratical faces, which is the visage of a dying man, after being wasted away with long sickness. We experimentally see that women impart their marks of fancy, even to the child they carry in their womb. It is to be observed, that physicians prepossess their patients with hopes of cure, to the end, that the effect of imagination may supply the defect of their physick. A doctor being asked the question, Why he could not cure his mother-in-law, as well as his father? He wittily replied, That his mother-in-law had not the same confidence, or rather fancy, for him, as his father had, otherwise the cure would be effected. So great you see is the influence of the fanoy, or imagination, on the body of man.

Likewise the effects of the body are communicated to the mind: you see, for example, valiant, heroick, magnanimous souls, by change of temperament of body, either by disease, or old age, become timorous, suspicious, pusillanimous, cowards (*omnia tuta timent*) more like statues than men. Of these Hippocrates says, *Vidi mortuos ambulantes*; I have seen dead men walk; their body is a sepulchre to their soul, and, as the Greeks say, σῶμα, which is the body, is become σήμα, a sepulchre: *corpus quod corrumpitur aggravat animam*; a decayed and corrupting body is a load and burden to the soul, and, by its impurities and feculency, is infected: *Inficitur terræ sordibus unda fluens*.

‘The clearest currents, as they glide,

‘Take foulness from the river’s side.’

+ *Ad nullum consurgit opus, cum corpore languet.*

‘For, when the body languishing doth lie,

‘The soul itself to nothing can apply.’

Wherefore, the way to have *mens sana* † *in corpore sano*, or to be every way sound, is, to leave pinching cares behind, when you come to Tunbridge; expatiate your mind, and hearken sometimes to the charming musick you have here, the choicest and best that can be had; it is an antidote against the spleen.

*Dulcisonum reficit tristitia corda melos.*

\* Edaces animi curæ, sollicitudines, tristitiæ mærores, atque ejus generis & farinæ alia animi pathemata abigenda.

† Animus.

‡ σὺδρυμία.

‘ Melodious songs do oft impart  
 ‘ Refreshment to the saddest heart.’

For melody, gently soothing nature, disposes and directs the spirits into a dancing, and observing regular motions. You see musick, by its influence, forces sound and sober men, even against their own wills, or thinking of other things, to actions emulating the tune heard. *Willis de Convulsione à Tarantula.*

Physicians, whom Almighty God has created for the necessity and use of mankind, and commands us to honour\*, are here many able, worthy, and eminent of that profession; who, by their diligent scrutiny into the recesses of nature, are come, of late years, to great perfection and knowledge of physick, here in England, far excelling those of former ages, wherein physick laboured under a dying Hippocratical face, and in Cimmerian darkness. These doctors are, in this place, ready to assist, with their learned prescriptions and wholesome advice, according to the exigency of every one, in order to their health, and methodically drinking the waters.—Many learned divines and spiritual guides are not here wanting, whom you may freely consult, and make choice of, according to your inclination, in order to the good and safety of your soul.

*Here are women, whom they call Dippers, ready to fill you glasses of water.*

*Confestim advolitat, quæ pocula porrigat ultro  
 Plena perennis aquæ, quam fons sine munere donat;  
 Qualem nec Latium novit, nec Græcia jactat:  
 Illa beat siccos sæcunda stirpe parentes;  
 Deciduumque facit, post funera, vivere nomen:  
 Illa domat febres; & si male calculus hærens  
 Renibus, aut peni, languentia viscera torquet,  
 Illa fugat; pellit curas; & nubila menti  
 Discussiens, aptat doctis, sacratque camænis,*

‘ With winged speed, one to you glasses brings,  
 ‘ With water fill’d, free as the living springs;  
 ‘ Whose fame, far above Rome’s, or Greece’s, rings: }  
 ‘ This blesseth parents with a fruitful race,  
 ‘ That even death itself cannot deface:  
 ‘ This waters, fevers, and the stone cashiers,  
 ‘ That vex’d the shaft and kidneys many years:  
 ‘ This chaseth sorrow; clears a cloudy mind;  
 ‘ Fits it for learning; which, with muses join’d, }  
 ‘ All here a seat, and temple too, do find.

The air, than which, to the preservation of man’s life, nothing is more necessary, as all philosophers agree (and the derivation of the very word air, from the Greek word *ἀῆρ*, *spiro*, denotes the same, being composed of two vowels, alpha and omega, as *principium & finis vitæ*, which is the beginning and end of man’s life) is here clear,

\* Ecclesiasticus xxviii. 1, 2.

ἡμεῖς μὲν ἀντὶ πολλῶν ἀσθενειῶν ἄλλων.



serene, lucid, void, of any stinking *mephitis*, or damps arising from bogs or fens, which may occasion epidemical distempers in the blood; but, on the contrary, the whole ambient of the horizon is filled with an inexhaustible series of odoriferous and fragrant effluvia, incessantly exhaling from sweet-scented herbs and plants, that grow in these parts. The air, thus embodied, we perpetually inspire, which raises, and, analogically speaking, spiritualises our minds far beyond all exotic, either natural or artificial perfumes.

Moreover, at Tunbridge, you find conference with eminent and famous wits, which is the most fruitful and natural exercise of the mind; the use of which is more sweet, than any other action of our life. The study of books is a languishing and feeble motion, in respect of it; for what is delivered *viva voce*, with a lively voice, makes a deeper impression on the mind, and, consequently, is more advantageous than reading. Much more may be said of the various and manifold benefits and comforts you may receive at Tunbridge\*, which I now supersede, hoping these, I have mentioned, are allurements strong enough to invite, if not a magnetism to draw men thither.

It is rare to write any thing to that perfection, as to rescind the occasion of all objections from cavillers; wherefore, what I have said of the virtues of these waters would not be sufficient, if I do not obviate also such objections, as may raise scruples in the minds of those who make use of them.

The first objection is, that many, soon after drinking of these waters, died; and that others, by the use of them, receive no benefit: whence they infer these waters to be improper, noxious, lethiferous, and not fit to be drank by men.

*Vina bibant homines, animantia cætera fontes;  
Absit ab humano pectore potus aquæ.*

‘ Let none but cattle water drink,  
‘ That fit for men no men can think.’

As for the first objection, I confess, one may die soon after taking waters; and so he may after taking any thing else: not that the waters, duly prescribed, are the occasion of death, but, through irregularity, disorder, or neglect of something, that was to be done in order to the taking of them, death may ensue: nay, men may die immediately, or soon after taking things indifferent in themselves, and void of any medicinal, or alterative quality, as, for example, after eating bread and butter, or drinking a glass of wine; it doth not therefore follow, that this last thing, they eat, or drank, caused their bane, and that no man ought to eat, or drink, any more of this kind of food.

*Secondly*, Some of those, who drink waters, may have a malady of a cacoethes-nature, or of such a contumacy, and so far radicated,

\* Sic varis animum studiis Tunbrigia mulcet,  
Ut vix absentes possis lugere penates.

that it illudes all energy of chalybeates, or any sort of physick. \*It does not follow therefore, that this martial remedy is ineffectual, in itself, in order to cure other maladies of a different nature, by reason of the impregnable habit and rooting of some incurable distempers: *Non defamanda præsidia, quæ aliis profuere.* Celsus. Remedies, which have done others good, are not to be undervalued; † they exert their operation according to the disposition of the subject, on which they work: The sun, for example, with the same heat, melts the wax, and hardens the clay:

*Limus ut hic durescit, & hæc ut cera liquescit  
Uno eodemque igni.*——Virgilius.

And, by this reason, that which is one man's meat, may prove another's poison. So likewise, these waters, if used with a physician's advice, and due consideration, prove effectual and salubrious; but; taken without it, and by an indisposed or unprepared body, may be noxious, and sometimes mortiferous: Wherefore, since all things do not agree with all persons; nay, nor the same thing always, or a long time, with the same person; therefore the careful observation, and daily advice, of a prudent physician is here necessary, that, by indications taken from things that, do good, or hurt, the method of cure may be rightly ordered, and now and then changed. *Willis, Capitulum de Colico.*

These waters kill and expel all manner of worms, ingendered either in the stomach, intestines, matrix, or any other part of the body.—Ryetus, in his observations of the Spaw-waters, makes mention of a woman, who laboured a long time with a chronick distemper under the doctor's hands, without receiving any benefit by all their prescriptions and physick that she had taken, but was, at last, advised to chalybeate waters, and, by drinking of them with method and continuance, avoided several worms of divers shapes, figure, and longitude, and was perfectly cured.

They are a polychrest remedy, serving for many uses and intentions; they both loosen and bind; cool and make hot; dry and moisten: cure distempers of divers states and origins, nay, of contrary natures and dispositions, as I said before. Certainly, a perfect knowledge of their *idiosyncrasia* and properties would reduce physick to a narrower compass, and to prescribe well the *studium chalybeatum*, or chalybeate course, would make the studying of so many volumes of the parts of physick unnecessary; for, by the help of these waters, we prolong man's life by a more facile and easier means, than has hitherto been known, *veritas ex puteo exathlanda*: truth must be drawn out of a well.

*Provocat hæc leniter Tunbrigia menstrua pridem,  
Suppressa, & nimium sistit ubi illa fluint.  
Nostræque suppressos ut provocat ipsa vicissim,  
Immodicos fluxus sic quoque sistit aqua:*

\* Non est in medico semper, relevetur ut æger;

Nam docti interdum plus valet arte malum.

† Actiones activarum sunt in subjecto dispositæ.

*Ovidius.*

*Stringunt quippe suâ vi lymphæ sive relaxant,  
Frigore tum corpus sive calore juvant.  
Ecquis idem medicamen eodem in corpore credat,  
Adversa inter se pellerè posse mala!*

‘ These waters vertue have to ope and close,  
‘ What may be called the female’s monthly rose.  
‘ These waters loosen, and as firmly bind,  
‘ As in all fluxes any one may find.  
‘ By their own vertue, strengthen and relax,  
‘ Both heat and cool, dry clay, and harden wax.  
‘ ’Tis strange, that, in one body, the same thing  
‘ Shou’d cross-grain’d maladies to cure bring.

*Ecce quam sint naturæ omnipotentis Dei, prudentia & potestate.  
ductæ, admiranda opera quæ aquæ istius limpidæ ac puræ beneficio.  
tot tamque inter se contrarios morbos curat, id quod ars medica sine  
corporis noxâ præstare nequit.*—Ryetius, in his Observations de Aquis  
Spadanis.

‘ Behold the wonderful works of nature, guided by the prudence  
‘ and power of the Almighty God, that, by the help of a limpid and  
‘ clear water, she cures manifold, nay, contrary and opposite ma-  
‘ ladies, which the art of physick, without great detriment to the  
‘ body, cannot do.’

To accelerate and promote the passing of these waters by urine,  
Ryetius advises some drops of spirit of vitriol to be instilled into  
their glasses of water, for acids, being endowed with a diuretick  
and penetrative faculty, depose the serum, and convey it to the  
reins, to be sent forth by the ureters.

To promote evacuation by stool, he adviseth to mix some common  
salt in powder with the waters, and a dram to every pint, more or  
less, proportioning the quantity to the bearing of the patient. This  
gently expels the loose matter contained in the ventricle and intes-  
tines, and purgeth viscous phlegm adhering to their tunicles and  
bilious humours from the pancreatick passages: but it is not to be  
taken indifferently by all persons.

*Dum juga montis aper, dum flumen piscis habebit,  
Anchora fons ægris, hic sacra semper erit;  
Ut biba accurret (rumpantur ut ilia Codris)  
Germanus, Scotus, Belga, Britannus, Iber.  
Hinc populus floret, crescet Tunbrigtia, quicquid  
Bellum destruxit, mox reparabit aqua.*

‘ Whilst boars on mountains shall abide,  
‘ Or fishes in the river glide;  
‘ So long, both sure and uncontroll’d,  
‘ Will last this health-firm anchor-hold.  
‘ This drink (let Codrus burst with rage)  
‘ Will English, Scotch, and Irish sage,  
‘ With German, French, and Dutch engage.  
‘ Hence people’s glory, Tunbridge praise,  
‘ What war throws down, water will raise.

Thus much for chalybeates, to comply with your honour's solicitations, hoping this rude essay, upon a barren subject, may be cultivated by other philosophers and physicians, better qualified, to the benefit and advantage of mankind, especially to your honour's satisfaction and welfare; whom Almighty God, the everlasting fountain and source of living waters, preserve with long life and health in this world, and grant immarcescible laurels in that which is to come; which is the earnest and unfeigned desire of,

My Lord, your honour's most humble  
and obedient Servant,  
P. M. M. D.

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## A SCHEME

FOR

THE FOUNDATION OF A ROYAL HOSPITAL,

AND RAISING A REVENUE

OF FIVE OR SIX THOUSAND POUNDS A YEAR,

By, and for the Maintenance of a Corporation of skilful Midwives and such Foundlings, or exposed Children, as shall be admitted therein. As it was proposed and addressed to his Majesty King James II. By Mrs. Elisabeth Cellier, in the Month of June, 1687. Now first published from her own MS. found among the said King's papers. Folio, containing nine pages.

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*To the King's Most Excellent Majesty, the humble Proposal of  
Elisabeth Cellier,*

Sheweth,

**T**HAT, within the space of twenty years last past, above six thousand women have died in child-bed, more than thirteen thousand children have been born abortive, and above five thousand chrysome infants have been buried, within the weekly bills of mortality: above two thirds of which, amounting to sixteen thousand souls, have in all probability perished, for want of due skill and care, in those women who practise the art of midwifery.

Besides the great number which are overlaid, and wilfully murdered, by their wicked and cruel mothers, for want of fit ways to conceal their shame, and provide for their children, as also the many executions on the offenders.

To remedy which, it is humbly proposed, that your majesty will be graciously pleased, by your royal authority, to unite the whole

number of skilful midwives, now practising within the limits of the weekly bills of mortality, into a corporation, under the government of a certain number of the most able and matron-like women among them, subject to the visitation of such person or persons, as your majesty shall appoint; and such rules for their good government, instruction, direction, and administration, as are hereunto annexed, or may, upon more mature consideration, be thought fit to be annexed.

That such number, so to be admitted, shall not exceed a thousand at one time; that every woman so to be admitted as a skilful midwife, may be obliged to pay, for her admittance, the sum of five pounds, and the like sum annually, by quarterly payments, for, and towards, the pious and charitable uses hereafter mentioned.

That all women, so admitted into the thousand, shall be capable of being chosen matrons, or assistants, to the government.

That such midwives as are found capable of the employment, and cannot be admitted into the first thousand, shall be of the second thousand, paying, for their admittance, the sum of fifty shillings, and fifty shilling a year by quarterly payments, towards the pious and charitable uses hereafter mentioned, and out of these the first thousand are to be supplied, as they die out.

That, out of the first sum arising from the admittance-money, one good, large, and convenient house, or hospital, may be erected, for the receiving and taking in of exposed children, to be subject to the care, conduct, and management of one governess, one female secretary, and twelve matron-assistants, subject to the visitation of such persons, as to your majesty's wisdom shall be thought necessary.

That such hospital be for ever deemed, of your majesty's royal foundation, and from time to time, subject to the rules and directions of your majesty, your heirs and successors.

That the annual five or six thousand pounds, which may arise from the thousand licensed midwives, and second thousand, may be employed towards the maintenance of such exposed children; as may from time to time be brought into the hospital, and for the governess, her secretary, and the twelve assistant-matrons, and for the necessary nurses, and their assistants, and others, fit to be employed for the nourishment and education of such exposed children in proper learning, arts, and mysteries according to their several capacities.

That for the better maintenance and encouragement of so necessary and royal a foundation of charity, it is humbly proposed that by your majesty's royal authority, one fifth part of the voluntary charity, collected or bestowed in any of the parishes within the limits of the weekly bills of mortality, may be annexed for ever to the same, other than such money taxed for the maintenance of the parish poor, collected on briefs by the royal authority, for any particular charitable use.

That likewise, by your majesty's royal authority, the said hospital may have leave to set up in every church, chapel, or publick place

of divine service, of any religion whatsoever, within the limits aforesaid, one chest or box, to receive the charity of all well-minded people, who may put money into the same, to be employed for the uses aforesaid.

That such hospital may be allowed, to receive the donation, of any lands, legacies, or other gifts, that pious and well minded people may bestow upon them.

That such hospital may be allowed to establish twelve lesser convenient houses, in twelve of the greatest parishes, each to be governed by one of the twelve matrons, assistants to the corporation of midwives, which houses may be for the taking in, delivery, and month's maintenance, at a price certain of any woman, that any of the parishes, within the limits aforesaid, shall by the overseers of the poor place in them, such women being to be subject, with the children born of them, to the future care of that parish, whose overseers place them there to be delivered, notwithstanding such house shall not happen to stand in the proper parish.

All and every of the twelve houses to be members of, and dependents on the royal hospital, and subject to the government of the same, and all such children as shall be exposed into them, whose parents and places of abode cannot be found, are to be conveyed thence to the great hospital, there to be bred up and educated, as though they had been exposed into it.

That for the better maintenance, and encouraging, the government of the said hospital, in the educating such exposed children, in proper learning, arts, and sciences, according to their several capacities, it is humbly proposed, that by your majesty's royal authority, all the children, so exposed, shall be deemed members of, and apprentices to the said society, till they attain the full age of twenty-one years, to be reckoned from their first admittance into the same, unless, by consent of the government thereof, they should happen to be married, or otherwise licensed to depart, under the publick seal of the same.

That likewise, by your majesty's royal authority, the children exposed and educated, as aforesaid, may be privileged to take to themselves surnames, from the several arts, or mysteries, they shall be excellent in, or from the remarkable days they were exposed on, or from their complexions, shapes, &c. and be made capable, by such names, of any honour or employment, without being liable to reproach, for their innocent misfortune.

That by your majesty's royal charter, the children so educated may be free members, of every city and corporation, within your majesty's kingdom of England, and dominion of Wales.

That for the better providing sure ways, and means, for the instructing all present and future midwives, who shall be admitted into the said corporation, fit care ought to be taken to induce that person, who shall be found most able in the art, and most fit for that employment, to instruct them in the most perfect rules of skill by reading lectures, and discoursing to them.

That on the lecture days, or other times appointed for that purpose, such midwife, in whose practice any extraordinary occurrences shall happen, shall report the same to the governess, and such of her assistants, as shall then happen to be present, and they to be free in his, or their instructions.

And it is humbly proposed, in the first years before the charge of the said hospital can be great, that out of the annual duties arising from the licensed midwives, the sum of        may be paid to the proposer to enable her to provide for her children, that nothing may divert her from employing all her industry for the good of those poor exposed children.

And that all admittance-money which shall be paid, after the first thousands are settled, shall be divided between the governess and the man-midwife or director of the house for the time being, by even and equal proportions.

That upon the admitting any woman to be deputy to any midwife, the sum of thirty shillings shall be paid, and the like sum annually, by quarterly payments, twenty shillings whereof shall be as a fee to the governess, and ten shillings to her secretary, besides their necessary lodging and other conveniences in the said hospital.

That after this first settlement, no married woman be admitted to be either governess, secretary, or any of the twelve principal assistants to the government; and that no married person, of either sex, shall be suffered to inhabit within the said hospital, to avoid such inconveniences as may arise, as the children grow to maturity; and that, as soon as any of them be found fit and capable of such employment, the governess, secretary, under governesses, governors, treasurer, register, and all other officers of the house shall be chosen, as they become capable thereof, and have entered themselves to continue members of the said society, during their natural lives; and if any of these persons do marry afterwards, than to clear their accounts and depart the house, by being expelled the society.

#### *Rules for Governing the Hospital of found Children.*

THAT the governess be appointed by his majesty, as likewise her secretary, and twelve assistants, who are to name twenty-four to be of the government.

That, upon the death of the governess, her place be supplied by her secretary, or such person as shall be chosen by the twelve principal assistants, or the major part of them, and the approbation of his majesty; that the secretary be chosen by the governess, and approved of by his majesty, his heirs and successors.

That, upon the vacancy of one of the twelve principal assistants, by death or otherwise, one of the four-and-twenty shall succeed, by election of the governess, secretary, and the other eleven; as also, the number of four-and-twenty shall be supplied, by election of the governess, female secretary, and twelve principal assistants, or the

major part of them; and, in all cases, the governess to have three, and the secretary, two voices.

That all rules for governing the children, under five years of age, shall be made by the governess, her secretary, and their assistants; that the government of the whole, under such rules, be in the governess.

That all female children shall continue under the sole government and direction of the governess, until they attain the full age of twenty-one years, or are married by her consent.

That all male children, at the age of five years, shall be separated from the female, and put under government of the several masters, to be appointed to instruct them in learning arts and trades, according to their several capacities, and the rules of the house.

That the principal chaplain be governor of the male children above five years of age, according to such rules, as shall be made from time to time, for well ordering the said hospital.

That all parish-found children, under the age of three years, shall be admitted into the said hospital, as soon as it is built, for two shillings per week, or the sum of fifteen pounds, to be paid at the election of the overseers, or vestry of the parish, that send them, to continue there twenty-one years.

That there shall be appointed proper mistresses, to instruct all the children, under five years of age, in reading and arts, according to their capacities, who are to have salaries and subsistence from the house, by such rules as shall be made from time to time, as occasion happens; which mistresses are all to be subject to the governess.

That like mistresses be appointed, for instructing the female children in plain-work, lace-making, point-embroidery, and all other female arts, according to their several capacities, and under the like government.

That masters, in several mysteries, arts, and handicrafts, be appointed, to teach the male children, as painters, engravers, carvers, watchmakers, smiths, and carpenters, of all sorts; salemakers, taylor, shoemakers, and many other trades, according to their geniusses, strengths, and several capacities.

That an able register be appointed, to set down, and keep, a due account of the day of the enterance of every child into the hospital, with the proper marks of its body, colour of its cloaths, and other things about it, with its hospital name, and where it was found, with its own name, if a note be left thereof, to the end that any one may recover their lost child, if they please; that the register take care to cause all children to be instructed in fair writing and accounts, according to their several capacities.

That all names are to be given by the governess, and that every child, upon its being brought into the hospital, shall be marked with a cross of blue under the brawn of the arm, with the day and year of its admittance; to the end they may be found out and recovered, if they should chance to convey themselves out of the hospital.



before the age of twenty-one years, to defraud it of the benefit of the mystery, art, or trade they have learned.

That a woman, sufficiently skilled in writing and accounts, be appointed secretary to the governess and company of midwives, to be present at all controversies about the art of midwifery, to register all the extraordinary accidents happening in the practice, which all licensed midwives, are, from time to time, to report to the society; that the female secretary be reckoned an assistant to the government, next to the governess, and capable of succeeding in her stead, if chosen thereunto by the governess, in her life-time, with the approbation of his majesty, his heirs, and successors.

That the principal physician, or man-midwife, examine all extraordinary accidents, and, once a month at least, read a publick lecture to the whole society of licensed midwives, who are all obliged to be present at it, if not employed in their practice; and he shall deliver a copy of such reading, to be entered into the book to be kept for that purpose: a copy of which shall be made out to any person, demanding the same, for such reasonable fee, as shall be appointed by the government, and shall be free, for any licensed midwife, at all convenient times, to have recourse to the said book; and to read any part of the same *gratis*.

That no men shall be present at such publick lectures, on any pretence whatsoever, except such able doctors and surgeons, as shall enter themselves students in the said art, and pay, for such their admittance, ten pounds, and ten pounds a year; five pounds to the house, and the other five to be divided equally between the governess and the chief doctor, or surgeon, that shall be director of the house for the time being.

That all physicians and surgeons, so admitted students and practitioners in the art of midwifery, shall be of council with the principal man-midwife, and be capable of succeeding him, by election of the governess, her secretary, twelve assistants, and the twenty-four lower assistants, or the major part of them all: elections to be made by balloting, the governess three balls, and the secretary two balls.

That the man-register, and secretary of the house, be under the command and direction of the whole government thereof for all business, except the art of midwifery, which is to be meddled with by none, but the governess, female secretary, man-midwife, and their assistants.

That any child, under the age of one year, whose parents are known; or not known, shall be admitted into the house, under the rules of being there twenty-one years; provided there be paid into the stock of the hospital the sum of thirty pounds, at the sending in of the said child.

That any person, or persons, who would have a child out of the said society, shall have power to examine the register, whether the child, by its marks, be living or dead, and may redeem the same, being under the age of five years, for twenty-five pounds, or being of that age, or under the age of seven years, for forty pounds; and from seven to ten, for fifty pounds; but, after the age of ten years,

every year it continues in the house, shall advance ten pounds in the price of the redemption, till such times they attain the age of fifteen; after which time, no increase of the price of redemption shall be upon any child; any one being, at any time, to be free for a hundred pounds, or less, if the governess of the house, her secretary, twelve assistants, or the major part of them, consent to the same; the governess hath three, and the female secretary two voices, which are to be given by the chaplain, register, and treasurer, if it be a male child that is to be redeemed; but, if it be a female, then the power to rest in themselves.

That all the money, coming to the said hospital, either by annual payments, charity, redemption, or any other ways whatsoever, shall be placed into one common treasury, to be kept in one, or more iron chests; not to be opened, but by the consent of the governess, her secretary, the chief chaplain, or him that shall be governor of the male children, the register, and treasurer, who shall each of them have a key to so many several locks; and the said monies, other than the constant salaries of the officers, and daily maintenance of the children, shall not be applied to any extraordinary use, but such as shall be appointed by the whole government of the hospital, in which number the keepers of those keys, for such purposes, are to be accounted part.

The accounts whereof, and of all monies coming into, or going out from the same, shall be kept by the register; and free access shall be had at all times, to the same, *gratis*, by the governors, or any of the visitors of the said hospital; and that, once a month, all comings in and goings out, and all other transactions on that account, shall be, by the register, fairly entered into a book for that purpose, which, shall always remain with the governess, and not to be taken out upon any pretence whatsoever; and that any person may search the register's book, for the fee of sixpence for one year's search.

That rules shall be made, from time to time, by the government, for trying the geniusses of the children, and dividing them into several classes and employments, according to their several capacities, and for entering them under proper mistresses and masters, upon certain salaries, or, otherwise, binding them apprentices to the said mistresses and masters within the house, or for clothing them, during their residence in, or at their going out of the said hospital.

As likewise for all other accidents, as lunaticks, idiots, and other infirmities, diseases, and sicknesses, and for separating the infirm from the healthful, and the infectious diseases from the other sick, and for all other contingencies, as there shall be occasion.

That none shall be detained, against their wills, above the time of twenty-one years, nor turned out at that time, if they desire to stay; it being in the power of any of them, at that age, to enter him, or herself, subject to the rules and duties of the house, for their natural lives; nor are any of them incapacitated to get their livings abroad, nor, being within the house, at any time to be turned out, but are

to be maintained by them in necessary meat, drink, cloaths, and lodging, during their natural lives, or till they recover of their distempers, so as to be able and willing to leave the same.

But no person, once discharged, and out of the care of the house for six months, shall be capable of demanding entrance into the same again, or of maintenance from it, but by the consent of the government thereof; and that such, as return to the house, shall give good testimony, that they have spent their time well, and without scandal, or be for ever expelled the society.

That further rules, for the establishment and foundation of the said community, or hospital, and for visiting the same, may be appointed in the charter for endowing the same; and such penalties imposed, on such as practise without license from the corporation, as to your majesty's wisdom shall seem meet.

To which all is humbly submitted.

THE

## PROPHECY OF BISHOP USHER.

To which is added two Letters ;

ONE FROM

*SIR WILLIAM BOSWELL,*

(AMBASSADOR AT THE HAGUE),

TO THE MOST REVEREND WILLIAM LAUD,

*LATE ARCHBISHOP OF CANTERBURY;*

THE OTHER FROM

THE REVEREND JOHN BRAMHALL,

BISHOP OF DERRY IN IRELAND,

TO THE MOST REVEREND JAMES USHER,

*LATE ARCHBISHOP OF ARMAGH.*

London, printed in the Year 1687. Quarto, containing twelve pages.

**T**HE prediction of the most learned and pious Archbishop Usher is very remarkable: as it was printed about seven years ago with license, and the truth of the matter of fact therein delivered, never, that I know of, denied, but confirmed by many, which, in short, was thus: that the year before this holy primate died (who was buried in the Abbey at Westminster, the 17th of April, 1656, the usurper Cromwell allowing two hundred pounds towards his funeral; so great his worth, that it even charmed that tyrant, otherwise far from

being a friend to any of his profession) an intimate friend of the archbishop's asking him, among other discourse, what his present apprehensions were concerning a very great persecution which should fall upon the church of God in those nations of England, Scotland, and Ireland (of which he had heard him speak with great confidence many years before, when we were in the highest and fullest state of outward peace and settlement) and whether he did believe those sad times to be past, or that they were yet to come? he answered, that they were yet to come, and that he did as confidently expect it as ever he had done: adding, that this sad persecution would fall upon all the protestant churches of Europe. His friend arguing, that he hoped the affliction might now be over, and be intended of our late calamitous civil wars; the reverend prelate turning towards him, and fixing his eyes upon him, with that serious and severe look, which he usually had when he spoke God's Word, and not his own, and when the power of God seemed to be upon him, and to constrain him to speak, said thus: Fool not yourselves with such hopes, for I tell you, all, you have yet seen, hath been but the beginning of sorrows, to what is yet to come upon the protestant churches of Christ, who will, before long, fall under a sharper persecution than ever yet has been upon them; therefore said he to him, look you be not found in the outward court, but a worshiper in the temple before the altar, for Christ will measure all those that profess his name, and call themselves his people; and outward worshipers he will leave out, to be trodden down by the Gentiles. The outward court, says he, is the formal christian, whose religion lies in performing the outside duties of christianity, without having an inward life and power of faith and love, uniting them to Christ, and those God will leave to be trodden down, and swept away by the Gentiles: but the worshipers within the temple, and before the altar, are those who do indeed worship God in spirit and in truth, whose souls are made his temples, and he is honoured and adored in the most inward thoughts of their hearts, and they sacrifice their lusts and vile affections, yea, and their own wills to him; and these God will hide in the hollow of his hand, and under the shadow of his wings? And this shall be one great difference between this last, and all the other preceding persecutions: for, in the former, the most eminent and spiritual ministers and christians did generally suffer most, and were most violently fallen upon; but in this last persecution, these shall be preserved by God, as a seed to partake of that glory which shall immediately follow, and come upon the church, as soon as ever this storm shall be over; for as it shall be the sharpest, so it shall be the shortest persecution of them all; and shall only take away the gross hypocrites, and formal professors, but the true spiritual believers shall be preserved till the calamity be over-past.

His friend then asked him, by what means or instruments this great trial should be brought on? He answered, by the papists. His friend replied, that it seemed very improbable they should be able to do it, since they were now little countenanced, and but few in

these nations, and that the hearts of the people were more set against them, than ever since the reformation. He answered again, that it would be by the hands of the papists, and in the way of a sudden massacre, and that the then pope should be the chief instrument of it.

He also added, that the papists were, in his opinion, the Gentiles spoken of, Rev. xi. to whom the outward court should be left, that they might tread it under foot; they having received the Gentiles worship in their adoring images, and saints departed, and in taking to themselves many mediators: and this, said he, the papists are now designing among themselves, and therefore be sure you be ready.

This gracious man repeated the same things in substance to his only daughter, the lady Tyrrel, and that with many tears, and much about the same time.

*A Letter from Sir William Boswell, to the most Reverend William Laud, late Archbishop of Canterbury, remaining with Sir Robert Cotton's choice Papers.*

*Most reverend,*

As I am here employed by our sovereign lord the king, your grace can testify that I have left no stone unturned for his majesty's advancement; neither can I omit (whenever I meet with treacheries or conspiracies against the church and state of England) the sending your grace an account in general. I fear matters will not answer your expectations, if your grace do but seriously weigh them with deliberation. For, be you assured, the Romish clergy have gulled the misled party of our English nation, and that under a puritanical dress; for which the several fraternities of that church have lately received indulgence from the see of Rome, and council of cardinals, or to educate several of the young fry of the church of Rome, who are natives of his majesty's realms and dominions, and instruct them in all manner of principles and tenents, contrary to the episcopacy of the church of England.

There are in the town of Hague, to my certain knowledge, two dangerous impostors, of whom I have given notice to the Prince of Orange, who have large indulgences granted them, and known to be of the church of Rome, although they seem puritans, and do converse with several of our English factors.

The one, James Murray, a Scotchman, and the other John Napper, a Yorkshire blade. The main drift of these intentions is, to pull down the English episcopacy, as being the chief support of the imperial crown of our nation: for which purpose, above sixty Romish clergymen are gone, within these two years, out of the monasteries of the French king's dominions, to preach up the Scotch covenant, and Mr. Knox's descriptions and rules within that kirk, and to spread the same about the northern coasts of England. Let, therefore, his majesty have an inkling of these crotchets, that he

might be persuaded, whenever matters of the church come before you, to refer them to your grace, and the episcopal party of the realm: for there are great preparations making ready against the liturgy and ceremonies of the church of England: and all evil contrivances here and in France, and in other protestant holdings, to make your grace and the episcopacy odious to all reformed protestants abroad. It has wrought so much on divers of the foreign ministers of the protestants, that they esteem our clergy little better than papists. The main things that they hit in our teeth are, our bishops to be called lords; the service of the church, the cross in baptism, confirmation, bowing at the name of Jesus, the communion tables placed alter-ways, our manner of consecrations, and several other matters which are of late buzzed into the heads of the foreign clergy, to make your grievances the less regarded in case of a change, which is aimed at, if not speedily prevented.

Your grace's letter is carefully delivered, by my gentleman's own hands, unto the prince.

Thus craving your grace's hearty prayers for my undertakings abroad, as also for my safe arrival, that I may have the freedom to kiss your grace's hands, and to tell you more at large of these things, I rest

Your grace's most humble servant,  
W. B.

Hague, June 12,  
1640.

*A Letter from the Right Reverend John Bramhall, Bishop of Derry, afterwards Primate of Ireland, to the most Reverend James Usher, Archbishop of Armagh.*

*Most reverend,*

I THANK God I do take my pilgrimage patiently, yet I cannot but condole the change of the church and state of England; and more in my pilgrimage than ever, because I dare not witness and declare to that straying flock of our brethren in England, who have misled them, and who they are that feed them. But that your lordship may be more sensible of the church's calamities, and of the dangers she is in of being ruined, if God be not merciful unto her, I have sent you a part of my discoveries, and it from credible hands, at this present having so sure a messenger, and so fit an opportunity.

It plainly appears, that in the year 1646, by order from Rome, above one hundred of the Romish clergy were sent into England, consisting of English, Scotch, and Irish, who had been educated in France, Italy, Germany, and Spain; part of these within the several schools there appointed for their instructions. In each of these Romish nurseries, these scholars were taught several handicraft-trades and callings, as their ingenuities were most bending, besides their orders, or functions of that church.

They have many yet at Paris a fitting up to be sent over, who twice in the week oppose one another; one pretending presbytery,

the other independency; some anabaptism, and other contrary tenents, dangerous and prejudicial to the church of England, and to all the reformed churches here abroad. But they are wisely preparing to prevent these designs, which I heartily wish were considered in England among the wise there.

When the Romish orders do thus argue *pro* and *con*, there is appointed one of the learned of those convents, to take notes, and to judge: and, as he finds their fancies, whether for presbytery, independency, anabaptism, atheism, or for any new tenents, so accordingly they are to act, and to exercise their wits. Upon their permission when they be sent abroad, they enter their names in the convent registry, also their licenses: if a Franciscan, if a Dominican, or Jesuit, or any other order, having several names there entered in their license; in case of a discovery in one place, then to fly to another, and there to change their names or habit.

For an assurance of their constancy to their several orders, they are to give monthly intelligence to their fraternities, of all affairs, wherever they be dispersed: so that the English abroad know news better than you at home.

When they return into England, they are taught their lesson, to say, if any enquire from whence they come, that they were poor christians formerly that fled beyond sea for their religion sake, and are now returned, with glad news, to enjoy their liberty of conscience.

The hundred men, that went over in 1646, were most of them soldiers in the parliament's army, and were dally to correspond with those Romanists in our late king's army, that were lately at Oxford, and pretended to fight for his sacred majesty; for, at that time, there were some Roman Catholics, who did not know the design contrived against our church and state of England.

But the year following, 1647, many of those Romish orders, who came over the year before, were in consultation together, knowing each other. And those of the king's party, asking some, why they took with the parliament side, and asking others, whether they were bewitched to turn puritans? not knowing their design: but, at last, secret bulls, and licenses being produced, by those of the parliament's side, it was declared between them, there was no better design to confound the church of England, than by pretending liberty of conscience. It was argued then, that England would be a second Holland, a commonwealth; and, if so, what would become of the king? It was answered, would to God it were come to that point. It was again replied, yourselves have preached so much against Rome, and his holiness, that Rome, and her Romanists, will be little the better for that change: but it was answered, you shall have mass sufficient for an hundred-thousand in a short space, and the governors never the wiser. Then some of the mercifullest of the Romanists said, this cannot be done, unless the king die: upon which argument, the Romish orders thus licensed, and in the parliament army, wrote unto their several convents, but especially to the Sorbonists, whether it may be scrupled to make away our late godly

king, and his majesty his son, our king and master, who, blessed be God, hath escaped their Romish snares laid for him? It was returned from the Sorbonists, that it was lawful for Roman Catholicks to work changes in governments for the mother-church's advancement, and chiefly in an heretical kingdom; and so lawfully make away the king.

Thus much, to my knowledge, have I seen and heard, since my leaving your lordship, which I thought very requisite to inform your grace; for myself would hardly have credited these things, had not mine eyes seen sure evidence of the same. Let these things sleep within your gracious lordship's breast, and not awake but upon sure grounds, for this age can trust no man, there being so great fallacy amongst men. So the Lord preserve your lordship in health, for the nation's good, and the benefit of your friends; which shall be the prayers of

Your humble servant,

J. DERRENSIS.

July 20, 1654.

These two letters were taken out of that treasury of choice letters, published by Dr. Parr, his lordship's chaplain, and printed for Nathaniel Ranew, at the King's Arms, in St. Paul's Church-yard, 1686.

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## AN ENQUIRY

INTO

## THE MEASURES OF SUBMISSION

TO

### THE SUPREME AUTHORITY;

*And of the Grounds upon which it may be lawful or necessary for Subjects to defend their Religion, Lives, and Liberties.*

[From sixteen pages, Quarto, printed in the Year 1688.]

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**T**HIS enquiry cannot be regularly made, but by taking, in the first place, a true and full view of the nature of civil society, and more particularly of the nature of supreme power, whether it is lodged in one or more persons.

1. It is certain, that the law of nature has put no difference nor subordination among men, except it be that of children to parents, or of wives to their husbands; so that, with relation to the law of nature, 'all men are born free': and this liberty must still be supposed intire, unless so far as it is limited by contracts, provisions,



and laws; for a man can either bind himself to be a servant, or sell himself to be a slave, by which he becomes in the power of another, only so far as it was provided by the contract: since all that liberty, which was not expressly given away, remains still intire; so that the plea for liberty always proves itself, unless it appears that it is given up, or limited by any special agreement.

2. It is no less certain, that as the light of nature has planted in all men a natural principle of the 'love of life', and of a 'desire to preserve it', so the common principles of all religion agree in this, that, God having set us in this world, we are bound to preserve that being, which he has given us, by all just and lawful ways. Now this duty of self-preservation is exerted in instances of two sorts; the one is in the resisting of violent aggressors, the other is the taking of just revenges of those who have invaded us so secretly, that we could not prevent them, and so violently, that we could not resist them. In which cases, the principle of self-preservation warrants us, both to recover what is our own, with just damages, and also to put such unjust persons out of a capacity of doing the like injuries any more, either to ourselves, or any others. Now, in these instances of self-preservation, this difference is to be observed, that the first cannot be limited, by any slow forms, since a pressing danger requires a vigorous repulse, and cannot admit of delays; whereas the second, of taking revenges or reparations, is not of such haste, but that it may be brought under rules and forms.

3. The true and original notion of civil society and government is, that it is a compromise made by such a body of men, by which they resign up the right of demanding reparations, either in the way of justice against one another, or in the way of war against their neighbours, to such a single person, or to such a body of men, as they think fit to trust with this. And in the management of this civil society, great distinction is to be made between the power of making laws for the regulating the conduct of it, and the power of executing these laws; the supreme authority must still be supposed to be lodged with those who have the legislative power reserved to them; but not with those who have only the executive, which is plainly a trust, when it is separated from the legislative power; and all trusts, by their nature, import, that those, to whom they are given, are accountable, even though that it should not be expressly specified in the words of the trust itself.

4. It cannot be supposed by the principles of natural religion, that God has authorised any one form of government, any other way, than as the general rules of order and of justice oblige all men not to subvert constitutions, nor disturb the peace of mankind, nor invade those rights, with which the law may have vested some persons; for it is certain, that as private contracts lodge or transact private rights, so the publick laws can likewise lodge such rights, prerogatives, and revenues, in those under whose protection they put themselves; and, in such a manner, that they may come to have as good a title to these, as any private person can have to his property;

so that it becomes an act of high injustice and violence to invade these, which is so far a greater sin, than any such actions would be against a private person, as the publick peace and order is preferable to all private considerations whatsoever. So that, in truth, the principles of natural religion give those that are in authority no power at all; but they do only secure them in the possession of that which is theirs by law. And as no considerations of religion can bind me to pay another more than I indeed owe him, but do only bind me more strictly to pay what I owe; so the considerations of religion do, indeed, bring subjects under stricter obligations to pay all due allegiance and submission to their princes; but they do not at all extend that allegiance further than the law carries it.

And though a man has no divine right to his property, but has acquired it by human means, such as succession, or industry, yet he has a security for the enjoyment of it, from a divine right: so, though princes have no immediate warrants from heaven, either for their original titles, or for the extent of them, yet they are secured in the possession of them, by the principles and rules of natural religion.

5. It is to be considered that, as a private person can bind himself to another man's service by different degrees, either as an ordinary servant for wages, or as an apprentice for a longer time, as an apprentice; or, by a total giving himself up to another, as in the case of slavery. In all which cases, the general name of master may be equally used; yet the degrees of his power are to be judged by the nature of the contract; so, likewise, bodies of men can give themselves up, in different degrees, to the conduct of others. And, therefore, though all those may carry the same name of king, yet every one's power is to be taken from the measures of the authority which is lodged in him, and not from any general speculations founded on some equivocal terms, such as king, sovereign, or supreme.

6. It is certain, that God, as the creator and governor of the world, may set up whom he will, to rule over other men; but this declaration of his will must be made evident by prophets, or other extraordinary men sent by him, who have some manifest proofs of the divine authority, that is committed to them, on such occasions; and upon such persons declaring the will of God, in favour of any others, that declaration is to be submitted to and obeyed. But this pretence of a divine delegation can be carried no farther than to those who are thus expressly marked out, and is unjustly claimed by those who can prove no such declaration to have been ever made in favour of them, or their families. Nor does it appear reasonable to conclude, from their being in possession, that it is the will of God that it should be so; this justifies all usurpers, when they are successful.

7. The measures of power, and, by consequence, of obedience, must be taken from the express laws of any state, or body of men, from the oaths that they swear; or from immemorial prescription, and a long possession, which both give a title, and, in a long tract

of time, make a bad one become good ; since prescription, when it passes the memory of man, and is not disputed by any other pretender, gives, by the common sense of all men, a just and good title. So, upon the whole matter, the degrees of all civil authority, are to be taken either from express laws, immemorial customs, or from particular oaths, which the subjects swear to their princes; this being still to be laid down for a principle, that, in all the disputes between power and liberty, power must always be proved; but liberty proves itself; the one being founded only upon positive law, and the other upon the law of nature.

8. If, from the general principles of human society, and natural religion, we carry this matter to be examined by the Scriptures, it is clear, that all the passages, that are in the Old Testament, are not to be made use of in this matter, on neither side. For as the land of Canaan was given to the Jews, by an immediate grant from heaven, so God reserved still this to himself, and to the declarations that he should make from time to time, either by his prophets, or by the answers that came from the cloud of glory that was between the cherubims; to set up judges or kings over them, and to pull them down again as he thought fit, here was an express delegation made by God; and therefore all that was done in that dispensation, either for or against princes, is not to be made use of in any other state, that is founded on another bottom and constitution; and all the expressions in the Old Testament relating to kings, since they belong to persons that were immediately designed by God, are without any sort of reason applied to those who can pretend to no such designation, neither for themselves nor for their ancestors.

9. As for the New Testament, it is plain, that there are no rules given in it, neither for the forms of government in general, nor for the degrees of any one form in particular, but the general rules of justice, order, and peace, being established in it upon higher motives, and more binding considerations, than ever they were in any other religion whatsoever, we are most strictly bound by it, to observe the constitution in which we are; and it is plain, that the rules, set us in the gospel, can be carried no further. It is, indeed, clear from the New Testament, that the christian religion, as such, gives us no grounds to defend or propagate it by force. It is a doctrine of the cross, and of faith and patience under it; and if, by the order of divine providence, and of any constitution of government, under which we are born, we are brought under sufferings, for our professing of it, we may indeed retire and fly out of any such country, if we can; but, if that is denied us, we must then, according to this religion, submit to those sufferings under which we may be brought, considering that God will be glorified by us in so doing, and that he will both support us under our sufferings, and gloriously reward us for them.

This was the state of the christian religion, during the three first centuries, under heathen emperors, and a constitution in which paganism was established by law; but if, by the laws of any government, the christian religion, or any form of it, is become a part of

the subject's property, it then falls under another consideration, not as it is a religion, but as it is become one of the principal rights of the subjects, to believe and profess it; and then we must judge of the invasions made on that, as we do of any other invasion that is made on our rights.

10. All the passages in the New Testament, that relate to civil government, are to be expounded as they were truly meant, in opposition to that false notion of the Jews, who believed themselves to be so immediately under the divine authority, that they would not become the subjects of any other power; particularly of one that was not of their nation, or of their religion; therefore they thought, they could not be under the Roman yoke, nor bound to pay tribute to Cæsar, but judged that they were only subject out of fear, by reason of the force that lay on them, but not for conscience-sake; and so in all their dispersion, both at Rome and elsewhere, they thought they were God's freemen, and made use of this pretended 'liberty as a cloke of maliciousness'. In opposition to all which, since in a course of many years they had asked the protection of the Roman yoke, and were come under their authority, our Saviour ordered them to continue in that by his saying, 'Render to Cæsar that which is Cæsar's'; and both St. Paul in his epistle to the Romans; and St. Peter in his general epistle, have very positively condemned that pernicious maxim, but without any formal declarations made of the rules or measures of government. And, since both the people and senate of Rome had acknowledged the power that Augustus had, indeed, violently usurped, it became legal when it was thus submitted to, and confirmed both by the senate and people; and it was established in his family by a long prescription, when these epistles were writ; so that, upon the whole matter, all that is in the New Testament, upon this subject, imports no more but that all christians are bound to acquiesce in the government, and submit to it, according to the constitution that is settled by law.

11. We are then at last brought to the constitution of our English government; so that no general considerations from the speculations about sovereign power, nor from any passages either of the Old or New Testament, ought to determine us in this matter; which must be fixed from the laws and regulations that have been made among us. It is then certain, that with relation to the executive part of the government, the law has lodged that singly in the king, so that the whole administration of it is in him; but the legislative power is lodged between the king and the two houses of parliament, so that the power of making and repealing laws is not singly in the king, but only so far as the two houses concur with him. It is also clear, that the king has such a determined extent of prerogative, beyond which he has no authority: as for instance, if he levies money of his people, without a law empowering him to it, he goes beyond the limits of his power, and asks that, to which he has no right, so that there lies no obligation on the subject to grant it; and if any in his name use violence for the obtaining it, they are to be looked on, as so many robbers, that invade our property, and they being violent

aggressors, the principle of self-preservation seems here to take place, and to warrant as violent a resistance.

12. There is nothing more evident, than that England is a free nation, that has its liberties and properties preserved to it by many positive and express laws. If then we have a right to our property, we must likewise be supposed to have a right to preserve it; for these rights are by the law secured against the invasions of the prerogative, and by consequence we must have a right to preserve them against those invasions. It is also evidently declared by our law, that all orders and warrants, that are issued, not in opposition to them, are null of themselves; and by consequence, any that pretend to have commissions from the king, for those ends, are to be considered, as if they had none at all: since these commissions, being void of themselves, are indeed no commissions in the construction of the law; and therefore those, who act in virtue of them, are still to be considered, as private persons, who come to invade and disturb us. It is also to be observed, that there are some points that are justly disputable and doubtful, and others that are so manifest, that it is plain that any objections, that can be made to them, are rather forced pretences, than so much as plausible colours. It is true, if the case is doubtful, the interest of the publick peace and order ought to carry it; but the case is quite different, when the invasions, that are made upon liberty and property, are plain and visible to all that consider them.

13. The main and great difficulty here, is, that though our government does indeed assert the liberty of the subject, yet there are many express laws made, that lodge the militia singly in the king, that make it plainly unlawful, upon any pretence whatsoever, to take arms against the king, or any commissioned by him; and these laws have been put in the form of oath, which all that have borne any employment either in church or state have sworn; and therefore these laws, for the assuring our liberties, do indeed bind the king's conscience, and may affect his ministers; yet, since it is a maxim of our law, that the king can do no wrong, these cannot be carried so far as to justify our taking arms against him, be the transgressions of law ever so many and so manifest: and, since this has been the constant doctrine of the church of England, it will be a very heavy imputation on us, if it appears, that though we held these opinions, as long as the court and the crown have favoured us, yet, as soon as the court turns against us, we change our principles.

14. Here is the true difficulty of this whole matter, and therefore it ought to be exactly considered. First, all general words, how large soever, are still supposed to have a tacit exception, and reserves in them, if the matter seems to require it. Children are commanded to obey their parents in all things; wives are declared, by the scripture, to be subject to their husbands in all things; as the church is unto Christ: and yet how comprehensive soever these words may seem to be, there is still a reserve to be understood in them; and though, by our form of marriage, the parties swear to one another, till death them do part, yet few doubt but this bond is dissolved by

adultery, though it is not named ; for odious things ought not to be suspected, and therefore not named upon such occasions : But, when they fall out, they carry still their own force with them. 2. When there seems to be a contradiction between two articles in the constitution, we ought to examine which of the two is the most evident and the most important, and so we ought to fix upon it, and then we must give such an accommodating sense to that which seems to contradict it, that so we may reconcile those together. Here then are two seeming contradictions in our constitution : the one is, the publick liberties of the nation ; the other is, the renouncing of all resistance, in case that were invaded. It is plain, that our liberty is only a thing that we enjoy at the king's discretion, and during his pleasure, if the other against all resistance is to be understood, according to the utmost extent of the words ; therefore since the chief design of our whole law, and all the several rules of our constitution, is to secure and maintain our liberty, we ought to lay that down for a conclusion, that it is both the most plain and the most important of the two : and therefore the other article against resistance ought to be so softened, as that it do not destroy this. 3. Since it is by a law, that resistance is condemned, we ought to understand it in such a sense, as that it doth not destroy all other laws : and therefore the intent of this law must only relate to the executive power, which is in the king, and not to the legislative, in which we cannot suppose that our legislators, who made that law, intended to give up that, which we plainly see they resolved still to preserve intire, according to the ancient constitution. So then the not resisting the king can only be applied to the executive power, that so, upon no pretence of ill administrations in the execution of the law, it should be lawful to resist him ; but this cannot with any reason be extended to an invasion of the legislative power, or to a total subversion of the government. For it being plain, that the law did not design to lodge that power in the king ; it is also plain, that it did not intend to secure him in it, in case he should set about it. 4. The law mentioning the king, or those commissioned by him, shews plainly, that it only designed to secure the king in the executive power : for the word Commission necessarily imports this, since, if it is not according to law, it is no commission ; and by consequence, those who act, in virtue of it, are not commissioned by the king, in the sense of the law. The king likewise imports, a prince clothed by law with the regal prerogative ; but, if he goes to subvert the whole foundation of the government, he subverts that by which he himself has his power, and by consequence he annuls his own power, and then he ceases to be king, having endeavoured to destroy that, upon which his own authority is founded.

It is acknowledged by the greatest asserters of monarchical power, that, in some cases, a king may fall from his power, and in other cases that he may fall from the exercise of it ; his deserting his people, his going about to enslave, or sell them to any other, or a furious going about to destroy them, are, in the opinion of the most

monarchical lawyers, such abuses, that they naturally divest those, that are guilty of them, of their whole authority. Infamy or phrenzy do also put them under the guardianship of others. All the crowned heads of Europe have, at least, secretly approved of the putting the late King of Portugal under a guardianship, and the keeping him still prisoner, for a few acts of rage, that had been fatal to a very few persons: and even our court gave the first countenance to it, though of all others the late king had the most reason to have done it at least last of all, since it justified a younger brother's supplanting the elder; yet the evidence of the thing carried it even against interest; therefore, if a king go about to subvert the government, and to overturn the whole constitution, he by this must be supposed either to fall from his power, or at least from the exercise of it, so far as that he ought to be put under guardians: and, according to the case of Portugal, the next heir falls naturally to be the guardian.

The next thing to be considered is, to see in fact whether the foundations of this government have been struck at, and whether those errors, that have been perhaps committed, are only such malversations, as ought only to be imputed to human frailty, and to the ignorance, inadvertencies, or passions, to which all princes may be subject, as well as other men; but this will best appear, if we consider, what are the fundamental points of our government, and the chief securities that we have for our liberties.

The authority of the law is, indeed, all in one word, so that, if the king pretend to a power to dispense with laws, there is nothing left, upon which the subject can depend; and yet, as if dispensing power were not enough, if laws are wholly suspended for all time coming, this is plainly a repealing of them, when likewise the men, in whose hands the administration of justice is put by law, such as judges and sheriffs, are allowed to tread all laws under foot, even theft, that infer an incapacity on themselves, if they violate them; this is such a breaking of the whole constitution, that we can no more have the administration of justice, so that it is really a dissolution of the government; since all tryals, sentences, and the executions of them are become so many unlawful acts, that are null and void of themselves.

The next thing in our constitution, which secures to us our laws and liberties, is a free and lawful parliament. Now not to mention the breach of the law of triennial parliaments, it being above three years since we had a session, that erected any law; methods have been taken, and are daily taking, that render this impossible. Parliaments ought to be chosen with an intire liberty, and without either force or pre-engagements, how they will vote; if they were chosen themselves; or how they will give their votes in the electing of others; this is plainly such a preparation to a parliament, as would, indeed, make it no parliament, but a cabal, if one were chosen, after all that corruption of persons, who had pre-engaged themselves, and after the threatening and turning out of all persons out of employments who had refused to do it; and if there are such daily regulations made in the towns, that it is plain, those, who manage them,

intend at last to put such a number of men in the corporations as will certainly chuse the persons who are recommended to them. But above all, if there are such a number of sheriffs and mayors made over England, by whom the elections must be conducted and returned, who are now under an incapacity by law, and so are no legal officers, and by consequence, those elections, that pass under their authority, are null and void ; if, I say, it is clear that things are brought to this, then the government is dissolved ; because it is impossible to have a free and legal parliament in this state of things. If then both the authority of the law and the constitution of the parliament are struck at and dissolved, here is a plain subversion of the whole government. But if we enter next into the particular branches of the government, we will find the like disorder among them all.

The protestant religion and the church of England make a great article of our government ; the latter being secured not only of old by Magna Charta, but by many special laws made of late ; and there are particular laws made in King Charles the First's and the late king's time, securing them from all commissions that the king can raise for judging or censuring them. If then, in opposition to this, a court so condemned is erected, which proceeds to judge and censure the clergy, and even to disseize them of their freeholds, without so much as the form of a tryal, though this is the most indispensable law of all these, that secures the property of England ; and if the king pretends that he can require the clergy to publish all his arbitrary declarations, and, in particular, one that strikes at their whole settlement, and has ordered process to be begun against all that disobeyed this illegal warrant, and has treated so great a number of the bishops as criminals, only for representing to him the reasons of their not obeying him ; if likewise the king is not satisfied to profess his own religion openly, though even that is contrary to law, but has sent ambassadors to Rome, and received Nuncio's from thence, which is plainly treason by law ; if likewise many Popish churches and chapels have been publickly opened ; if several colleges of Jesuits have been set up in divers parts of the nation, and one of the order has been made a privy counsellor, and a principal minister of state ; and if Papists, and even those who turn to that religion, though declared traitors by law, are brought into all the chief employments, both military and civil ; then it is plain, that all the rights of the church of England, and the whole establishment of the Protestant religion, are struck at, and designed to be overturned ; since all these things, as they are notoriously illegal, so they evidently demonstrate, that the great design of them all is the rooting out this pestilent heresy, in their stile, I mean the Protestant religion.

In the next place, if, in the whole course of justice, it is visible, that there is a constant practising upon the judges, that they are turned out upon their varying from the intentions of the court, and if men of no reputation or abilities are put in their places ; if an army is kept up in time of peace, and men who withdrew from that



Illegal service are hanged up as criminals, without any colour of law, which by consequence are so many murders; and if the soldiery are connived at and encouraged in the most enormous crimes, that so they may be thereby prepared to commit great ones, and, from single rapes and murders, proceed to a rape upon all our liberties, and a destruction of the nation: if, I say, all these things are true in fact, then it is plain, that there is such a dissolution of the government made, that there is not any one part of it left sound and intire; and if all these things are done now, it is easy to imagine what may be expected, when arbitrary power that spares no man, and Popery that spares no heretick, are finally established; then we may look for nothing but gabels, tallies, impositions, benevolences, and all sorts of illegal taxes; as from the other we may expect burnings, massacres, and inquisitions. In what is doing in Scotland, we may gather what is to be expected in England; where, if the king has over and over again declared, that he is vested with an absolute power, which all are bound to obey without reserve; and has upon that annulled almost all the acts of parliament that passed in King James the First's minority, though they were ratified by himself when he came to be of age, and were confirmed by all the subsequent kings, not excepting the present: We must then conclude from thence, what is resolved here in England, and what will be put in execution, as soon as it is thought that the times can bear it. When likewise the whole settlement of Ireland is shaken, and the army that was raised, and is maintained by taxes, that were given for an army of English Protestants, to secure them from a new massacre by the Irish Papists, is all now filled with Irish Papists, as well as almost all the other employments; it is plain, that not only all the British Protestants, inhabiting that island, are in daily danger of being butchered a second time, but that the crown of England is in danger of losing that island, it being now put wholly into the hands and power of the native Irish; who, as they formerly offered themselves up sometime to the crown of Spain, sometimes to the Pope, and once to the Duke of Lorrain, so are they, perhaps, at this present treating with another court for the sale and surrender of the island, and for the massacre of the English in it.

If thus all the several branches of our constitution are dissolved, it might be at least expected, that one part should be left intire, and that is the regal dignity; and yet that is prostituted, when we see a young child put in the reversion of it, and pretended to be the Prince of Wales, concerning whose being born of the queen, there appear to be not only no certain proofs, but there are all the presumptions that can possibly be imagined to the contrary. No proofs were ever given, either to the Princess of Denmark, or to any other Protestant ladies, in whom we ought to repose any confidence, that the queen was ever with child; that whole matter being managed with so much mysteriousness, that there were violent and publick suspicions of it before the birth. But the whole contrivance of the birth, the sending away the Princess of Denmark, the sudden shortening of the reckoning, the Queen's sudden going to St. James's,

her no less sudden delivery, the hurrying the child into another room without shewing it to those present, and without their hearing it cry ; and the mysterious conduct of all since that time ; no satisfaction being given to the Princess of Denmark upon her return from the Bath, nor to any other Protestant ladies, of the queen's having been really brought to bed ; these are all such evident indications of a base imposture in this matter, that, as the nation has the justest reason in the world to doubt of it, so they have all possible reason to be at no quiet, till they see a legal and free parliament assembled, which may impartially, and without either fear or corruption, examine that whole matter.

If all these matters are true in fact, then I suppose no man will doubt that the whole foundations of this government, and all the most sacred parts of it, are overturned ; and, as to the truth of all these suppositions, that is left to every Englishman's judgment and sense.

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THE EXPEDITION  
OF  
HIS HIGHNESS THE PRINCE OF ORANGE  
FOR ENGLAND:

GIVING AN ACCOUNT OF  
THE MOST REMARKABLE PASSAGES THEREOF,

*From the Day of his setting Sail from Holland, to the first Day of this Instant December, 1688. In a Letter to a Person of Quality.*

[From a Quarto, containing eight Pages, printed in the year 1688.]

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SIR,

**T**HE account you so earnestly desired of me, of the Prince's expedition and invasion of England, is a task no one should have commanded from me but yourself ; the ancient friendship between us makes nothing appear difficult, in the way to serve you.

I shall not undertake to determine the legality of this great and bold attempt, nor reflect on the counsels that have brought this misery upon us, but shall content myself with giving you a brief account of the prince's expedition.

And, first, you are to take notice, that his highness set sail from Holland with fifty-one men of war, eighteen fire ships, and about three-hundred and thirty tenders, being ships hired of merchants, for the carriage of horse and foot, arms, ammunition, &c. The fleet stood out at sea to the northward, which met with horrid storms for

two days and two nights together ; in which bad weather there were lost above five-hundred horse, and a vessel parted from the fleet, wherein were four hundred foot, supposed to be lost, but now known to be arrived at the Texel, tho' grievously shattered and torn by the storm ; two of the prince's principal men of war were forced to new rig at Helvelsluce.

The prince, immediately on his return back, informed the States of the condition of the fleet (which was not so damnified as was represented by the vulgar and ignorant) who, thereupon, to lull a great man \* a-sleep, the States, or some one employed by them, ordered that the Haerlem and Amsterdam Courantier should make a dismal story of it, by representing to the world, that the prince returned with his fleet miserably shattered and torn, having lost nine men of war, and divers others of less concern ; a thousand horse ruined ; a calenture among the seamen ; the loss of Dr. Burnet, and the chief ministers under the prince ; the ill opinion the States had of the expedition ; in short, that one hundred thousand pounds would not repair the damage sustained ; and, almost next to an impossibility, that the prince should be in a condition to pursue his design, till the spring. And yet at the same time all hands were at work to repair the damaged ships, which were inconsiderable ; so that in eight days time they were all re-fitted. The signal being given by the discharge of a gun, all the fleet immediately weighed anchor, and stood out at sea, steering their course northwards, all that night ; next day upon tide of ebb, they made a stretch, and made a watch above a league, and then stood westward, and lay all night in the same posture, not making two leagues a watch.

In the middle of the night, an advice-boat brought us an account, that the English fleet, consisting of thirty-three sail, lay to the westward of ours. Upon which the prince fired a gun, which caused a great consternation in the whole fleet ; we, having a brisk easterly wind, concluded ourselves to be all ruined ; but the small advice boats, cruising for a more certain account of the English, brought us back word, that, instead of the English fleet, which the former advice had alarmed us with, it was Admiral Herbert with part of our fleet, which had been separated some hours from the body of our fleet : upon whose arrival great rejoicing was among us all, and a signal of joy was given for it by the prince.

In the morning, about eight, the prince gave a signal, that the admiral should come aboard him. Immediately after the whole fleet was got into the North Foreland, upon which the prince gave the usual sign of danger (according to the printed book) and ordered that the fleet should all come up in a body, some fifteen or sixteen deep, his highness leading the van in the ship the Brill (in English, Spectacles) : his flag was English colours ; the motto, impaled thereon, was, 'The Protestant Religion, and Liberties of England,' and underneath, instead of *Dieu et Mon droit*, was, 'and I will maintain it'.

The council of war, from on board the prince, sent three small frigates into the mouth of the Thames, viz. the Porpus, Posti-

fish, and Mercury; who, on their return, brought us word, that the English fleet lay in the buoy of the Nore, consisting of thirty-four sail, and three more which lay in the Downs. The wind continuing at E. N. E.

The prince immediately thereupon gave another signal of stretching the whole fleet in a line, from Dover to Calais, twenty-five deep; so that our fleet reached within a league of each place; the flanks and rear were guarded by our men of war. This sight would have ravished the most curious eyes of Europe. When our fleet was in its greatest splendor, the trumpets and drums playing various tunes to rejoice our hearts; this continued for above three hours.

Immediately after the prince gave us a sign to close, and sailed that night as far as Beach, and commanded us to follow the signal by lights he had hung out to us, viz. all the small sail should come up to him by morning.

By the morning-day we espied the Isle of Wight, and then the prince ordered the fleet to be drawn into the same posture, as before related; yet not stretching above half channel over, in this place. About five in the morning we made the Start, the wind chopping about to the westward; upon which we stood fair by Dartmouth, and so made for Torbay, where the prince again ordered the whole fleet into the same posture as at Dover and Calais.

Upon his arrival at Torbay, the people on land, in great numbers, welcomed his highness with loud acclamations of joy.

Immediately after the prince gave two signals, that the admirals should come a-board him, which they did; and then ordered, that the whole fleet should come to an anchor, and immediately land; and further ordered, that the admirals should stand out at sea, as a guard, as well as the smaller men of war, to attend and guard their landing; and also ordered six men of war to run in to guard Torbay.

The prince then put out a red flag at the mizen-yard-arm, and provided to land in sixty boats, laid ready for that purpose: upon which the prince signified, that General Mackay with his six regiments of English and Scotch should first land; and also, that the little Porpus, with eighteen guns, should run a-ground, to secure their landing. But there was no opposition; for the people bid us heartily welcome to England, and gave us all manner of provisions for our refreshment.

The fifth of November (a day never to be blotted out of the Englishman's heart) the prince caused to be landed about two thousand. On the sixth we landed as many horse and foot as we could possibly, and so continued the seventh: the country bringing in all manner of provision, both for man and horse, and were paid their price honestly for it.

The prince the same day commanded Captain M—— to search the Lady Cary's House, at Tor-Abby, for arms and horses; and so all other houses which were Roman Catholicks. The lady, entertaining them civilly, said her husband was gone to Plymouth: they

brought from thence some horses and a few arms, but gave no further disturbance to the lady or her house. Nor shall it be forgotten, what was faithfully acted at this lady's house, immediately on our arrival at Torbay: there were a priest and some others with him upon a watch tower, to discover what our fleet was, whether French or Dutch. At last they discovered the white flags on some of our men of war; the ignorant priest concluded absolutely we were the French fleet, which, with great impatience, they had so long expected; and, having laid up great provisions for their entertainment, the priest ordered all to the chapel to sing *Te Deum*, for the arrival of their supposed forces; but, being soon undeceived on our landing, we found the benefit of their provisions: and, instead of *vostre servitude Monsieur*, they were entertained with *yeen Mynheer*, can you Dutch spraken; upon which they all run away from the house, but the lady and a few old servants.

The whole army, to the best of my knowledge, consisted of eighteen thousand horse, three thousand dragoons, and one thousand eight hundred foot, besides a thousand voluntier persons of quality, horse well equipped, and about five hundred horse for carriage.

November the eighth, the prince came from Chudleigh, towards Exeter, with the greatest part of his army attending him, and, about one of the clock, entered at the west-gate of the city, welcomed with loud acclamations of the people.

The manner of his publick entrance into Exeter was as follows.

1. The right honourable the Earl of M—— with two hundred horse, the most part of which were English gentlemen richly mounted on Flanders steeds, managed and used to war, in head-pieces, back and breast, bright armour.

2. Two hundred blacks brought from the plantations of the Netherlands in America, having on embroidered caps lined with white fur, and plumes of white feathers, to attend the horse.

3. Two-hundred Finlanders or Laplanders in bear-skins taken from the wild beasts they had slain, the common habit of that cold climate, with black armour, and broad flaming swords.

4. Fifty gentlemen, and as many pages to attend and support the prince's banner, bearing this inscription, God and the Protestant religion.

5. Fifty led horses, all managed and brought up to the wars, with two grooms to each horse.

6. After these rode the prince on a milk-white palfrey, armed cap-a-pee, a plume of white feathers on his head, all in bright armour, and forty-two footmen running by him.

7. After his highness followed likewise on horseback two hundred gentlemen and pages.

8. Three-thousand Switzers with fuzees.

9. Five hundred voluntiers, each two led horses.

10. His captain and guards six-hundred, armed cap-a-pee,

The rest of the army brought up the rear.

That night the prince lay at the deanery, having before ordered the advanced guard to march to Clist-heath, and settled the quarters of the army; which was done so much to the content and satisfaction of the inhabitants in, and about the city, and such just payments made for what the soldiers had, and such civil behaviour among them, without swearing and damning and debauching of women, as is usual among some armies, that it is to admiration to behold. I am sure, Sir, I was an eye-witness of the whole order, and, when we marched away from this city, their joy was turned into dulness and cloudiness.

On the ninth the prince commanded Dr. Burnet to order the priest-vicars of the cathedral, not to pray for the Prince of Wales, and to make use of no other prayer for the king, but what is in the second service, which they refused to observe, till they were forced and very severely threatened; the bishop and the dean being then gone from the city.

About twelve this day, notice was given to the canons, and all the vicars, choral and singing lads, to attend in the cathedral immediately, for that the prince would be there; and Dr. Burnet ordered them, as soon as the prince entered into the quire, they should sing *Te Deum*, which was observed. The prince sat in the bishop's chair, and all his great officers attending on him. After *Te Deum* was sung, Dr. Burnet, in a seat under the pulpit, read aloud the prince's declaration, and reasons for this his expedition; when this was over, the prince returned to the deanery.

The baggage was many days bringing from Torbay, but the ammunition, both arms for foot and horse, and the artillery, were brought in to Topsham Road, and there, by boats and other carriages landed; the field-pieces were sent after the army at Clist-heath, the brass cannon remaining some of them in Exon.

The greatest part of the army were ordered to march forward to Ottery and Honyton, and in several parties were ordered to divers places in the county. One party was sent to the North of Devon, for horses, which were bought at excessive rates. From Roman Catholicks, they took horses without money; and many gentlemen, who might have had money, refused, as the bishop's son, and divers others.

On Sunday, Dr. Burnet preached at the cathedral on this text, Psalm cvii. last verse. Ferguson preached in the Presbyterian meeting-house, but was fain to force his way with his sword up to the pulpit, for even the old Presbyter himself could not away with the breath of his brother Ferguson in his diocese: his text was in Psalm xciv. 'Who will rise up for me, against evil doers.' I heard one of that gang say, that his discourse came, very much under the lash of the 25th of Edward the Third; he is not much regarded by any of the prince's retinue.

Sir William W—— who had been at Ford with the prince, to see Sir William C——, were both refused to be seen of him. One Major M——, and Sir Will—— were in commission to make new levies, which was carried on vigorously, and many enlisted under

them: But Sir W——, it seems, began to use an old trade of taking money for quarters: complaint was made thereof to the prince, and they were discarded, and the men disbanded to seek for new officers. But Sir W—— does continue under the prince's protection.

The prince was here above three days, before any appearance of gentry came, insomuch that the great officers began to wonder, that the prince should be invited in to England by them, and not to appear to the prince's assistance; but this consternation was soon over, when a considerable body of the gentry came in to him. Some that were for taking off the test and penal laws, they have not appeared as yet. So that now the counties of Cornwall and Devon are in the possession of the gentry thereof, and the prince's army quite marched away.

Pendennis Castle is managed by several gentlemen, who take their turns. Plymouth Fort is declared for the prince's service, by the Earl of B——, who, it seems, was to have been poisoned, by throwing white mercury over a leg of mutton (appointed as one dish for his supper) instead of flour: for that, and some other reasons, he secured the Lord H——, turned out all Papist soldiers, and has taken in the country soldiers into the fort.

Since which, there is an association among the gentry, worded much after that of my Lord Shaftsbury's.

Mr. Seymour being made Governor of Exeter and the Lord Mordaunt in his absence, there are new levies raising every day; so that this city is almost full of these new regiments, which are hourly disciplining by officers and old soldiers left here by the prince. All their arms are the prince's, and I am told, he brought with him as many as will set out twenty thousand, both horse and foot. I am apt to believe this to be true, having seen most of what has been landed. All the vessels that brought up the ammunition, &c. are returned again to Torbay, under the guard of the principal men of war, a squadron of which lie now in the sound of Plymouth, and saluted each other with many cannon from the fort and the fleet.

On Sunday last, there was a report that the twenty thousand French were landed at Porlock in this county, upon which the whole country rose with pikes, spits, scythes, and what weapons they could get, and made away for Exeter, but it proved a false alarm; for there were two small French ships driven by the Dutch fleet a-shore, and the French quitted their vessels and went on land, and were some killed, others sent hither. So that now they are pretty quiet again; but it has given that advantage to the commissioned officers, who are to raise new levies, to pick and chuse amongst them whom they please.

I shall now return again to the prince. When his highness left Exeter, Wednesday Nov. 21, he marched with his own guards, attended by a great many of the gentry both of Somersetshire and Devon to St. Mary Ottery, where he dined; after which he marched to Axminster, where he continued four days; from thence to Crook-ham, where he tarried only one night; from thence to Sherborne,

where his highness was splendidly entertained by the Lord D—: from thence he went to Wincanton, where he lodged at the house of one Mr. Churchill a merchant, and, it is credibly reported, designs for Oxford.

Sir, I have given you the best account I can of this great affair; you may communicate it to such friends as you think fit. Sir, I am, with all due respects,

Your most obedient servant,

Wincanton, 1 Dec. 1688.

N. N.

*A further Account of the Prince's Army, in a Letter sent from Exon, dated Nov. 24.*

HAD I not insensibly overslipped my time the last post, you had received this then. When I came here, I endeavoured to inform myself, after the best manner I could, as to the number and quality of the prince's army; and all generally concluded them to be about thirty-thousand, all picked men, and many of them personally present at the siege of Buda. This I am certain of, that they appeared to be men resolute, well disciplined, and stout, and of an extraordinary stature, and their arms suitable, muskets, swords, and pikes, being far larger than ever I yet saw; and notwithstanding the streets were thronged, almost as thick as yours on a lord-mayor's day, yet was it even a rarity to see one of them shorter than six foot; and some of them were, I am confident, six foot and a quarter, if not six foot and an half in height: so that, were it lawful to trust in an arm of flesh, they might have some cause to presume. But the tenor of their words was otherwise; their civil deportment and their honesty of paying for what they have (and the strictness of their discipline hinders them from being otherwise) winning not a little the affections of the country-men, who daily resort thither, forty or fifty in a gang, to be enlisted. My Lord Mordaunt's regiment was soon compleated, which, with two others, was raised and maintained at the charge of the gentry in this county, of which Edward Seymour, Esq. is by the prince made governor. During his highness's stay here, which was till last Wednesday, there appeared a court most splendid, composed, not only of foreign, but of many of the English nobility and gentry, which came hither to wait on his highness since his arrival, of both ranks, upwards to the number of sixty, all mighty gallant in their equipage, each striving thereby to add to the glory of their design. The gentry of these parts first seemed slow in their advances to serve the prince; but, as soon as the ice was broke by Capt. Burrington, the majority soon followed his steps, and have entered into an association. It is to admiration to consider the vast magazine of all warlike utensils brought hither by the prince's army, their baggage having for a fortnight together been continually landing, and yet not fully ended. Were it not for the badness of the roads, as I was informed by a private sentinal, they could draw into the field an artillery of above two-hundred pieces: but the greatest curiosity I yet saw was a bridge of boats; such as I



conceive the Imperialists use to pass over the Danube and Saave with, which was, for the speedy conveyance of their carriages, laid over the river in two or three hours, and afterwards as soon removed; not to mention a smith's shop or forge, curiously contrived in a waggon; or another contrivance the foot carry with them to keep off the horse, which, in their manner, may well yield the service of a pike.

There hath been lately driven into Dartmouth, and since taken, a French vessel loaden altogether with images, and knives of a very large proportion, in length, nineteen inches, and in breadth, two inches and an half: what they were designed for, God only knows.

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*For ESSAY ON MAGISTRACY, See VOL. 1. p. 3.*

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## THE SPEECH

OF

## THE PRINCE OF ORANGE

TO SOME PRINCIPAL GENTLEMEN

OF

SOMERSETSHIRE AND DORSETSHIRE,

*On their coming to join his Highness at Exeter, the 15th of November, 1688.*

Exeter, printed by J. B. 1688. Folio, containing one page.

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**T**HOUGH we know not all your persons, yet we have a catalogue of your names, and remember the character of your worth and interest in your country. You see we are come according to your invitation and our promise. Our duty to God obliges us to protect the Protestant religion, and our love to mankind, your liberties and properties. We expected you, that dwelt so near the place of our landing, would have joined us sooner; not that it is now too late, nor that we want your military assistance so much as your countenance, and presence, to justify our declared pretensions, rather than accomplish our good and gracious designs. Though we have brought both a good fleet, and a good army, to render these kingdoms happy, by rescuing all Protestants from Popery, slavery, and arbitrary power; by restoring them to their rights and properties established by law, and by promoting of peace and trade, which is the soul of government, and the very life-blood of a nation; yet we rely more on the goodness of God and the justice of our cause, than on any human force and power whatever. Yet, since God is pleased we shall make use of human means, and not expect miracles, for our

preservation and happiness; let us not neglect making use of this gracious opportunity, but with prudence and courage put in execution our so honourable purposes. Therefore, gentlemen, friends, and fellow-protestants, we bid you and all your followers most heartily welcome to our court and camp. Let the whole world now judge, if our pretensions are not just, generous, sincere, and above price; since we might have, even a bridge of gold to return back: but it is our principle and resolution rather to die in a good cause, than live in a bad one, well knowing that virtue and true honour is its own reward, and the happiness of mankind our great and only design,

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THE

LORD CHURCHILL'S LETTER

TO THE KING.

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SIR,

SINCE men are seldom suspected of sincerity, when they act contrary to their interests; and though my dutiful behaviour to your Majesty, in the worst of times (for which I acknowledge my poor services much over-paid) may not be sufficient to incline you to a charitable interpretation of my actions; yet I hope, the great advantage I enjoy under your Majesty, which I can never expect in any other change of government, may reasonably convince your Majesty and the world, that I am acted by a higher principle, when I offer that violence to my inclination, and interest, as to desert your Majesty at a time when your affairs seem to challenge the strictest obedience from all your subjects, much more from one who lies under the greatest personal obligations imaginable to your Majesty. This, Sir, could proceed from nothing but the inviolable dictates of my conscience, and necessary concern for my religion (which no good man can oppose) and with which, I am instructed, nothing ought to come in competition. Heaven knows with what partiality my dutiful opinion of your Majesty hath hitherto represented those unhappy designs, which inconsiderate and self-interested men have framed against your Majesty's true interest and the Protestant religion. But, as I can no longer join with such to give a pretence by conquest to bring them to effect, so will I always, with the hazard of my life and fortune (so much your Majesty's) endeavour to preserve your royal person and lawful rights with all the tender concern and dutiful respect that becomes, Sir,

Your Majesty's most dutiful and  
Most obliged subject and servant,

## FATHER LA CHAISE'S PROJECT



FOR THE

### *EXTIRPATION OF HERETICKS.*

In a Letter from him to Father P——rs, 1688. Quarto, containing four pages.

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Worthy friend,

**I** RECEIVED your's of the twentieth of June last, and am very glad to hear of your good success, and that our party gains ground so fast in England ; but, concerning the question you have put to me, that is, What is the best course to be taken to root out all the hereticks ? To this I answer : There are divers ways to do that, but we must consider which is the best to make use of in England. I am sure, you are not ignorant how many thousand hereticks we have, in France, by the power of our dragoons, converted in the space of one year, and, by the doctrine of those booted apostles, turned more in one month, than Christ and his apostles could in ten years. This is a most excellent method, and far excells those of the great preachers and teachers, that have lived since Christ's time. But I have spoken with divers fathers of our society, who do think, that your king is not strong enough to accomplish his design by such kind of force, so that we cannot expect to have our work done in that manner ; for the hereticks are too strong in the three kingdoms, and therefore we must seek to convert them by fair means, before we fall upon them with fire, sword, halters, gaols, and other such-like punishments ; and therefore I can give you no better advice, than to begin with soft easy means. Wheedle them in by promises of profit and offices of honour, till you have made them dip themselves in treasonable actions against the laws established, and then they are bound to serve for fear. When they have done thus, turn them out, and serve others so, by putting them in their places, and by this way gain as many as you can. And, for the hereticks that are in places of profit and honour, turn them out, or suspend them on pretence of misbehaviour, by which their places are forfeited, and they subject to what judgment you please to give upon them. Then you must form a camp, that must consist of none but catholicks ; this will make the hereticks heartless, and conclude all means of relief and recovery is gone. And, lastly, take the short and the best way, which is, to surprise the hereticks on a sudden. And, to encourage the zealous catholicks, let them sacrifice them all, and wash their hands in their blood ; which will be an acceptable offering to God. And this was the method I took in France, which hath well, you see, succeeded ; but it cost me many threats and promises, before I could bring it thus far, our king being a long time very unwilling,

But at last I got him on the hip ; for he had lain with his daughter-in-law, for which I would by no means give him absolution, till he had given me an instrument, under his own hand and seal, to sacrifice all the hereticks in one day. Now, as soon as I had my desired commission, I appointed the day when this should be done, and, in the mean time, made ready some thousands of letters, to be sent into all parts of France in one post-night. I was never better pleased, than that time ; but the king was affected with some compassion for the Hugonots, because they had been a means to bring him to his crown and throne ; and, the longer he was under it, the more sorrowful he was, often complaining, and desiring me to give him his commission again ; but that I would by no persuasion do, advising him to repent of that heinous sin, and also telling him, that the trouble and horror of his spirit did not proceed from any thing of evil in those things that were to be done, but from that great wickedness which he had done ; and that he must resolve to undergo the severe burden of a troubled mind for one of them, or the other, and, if he would remain satisfied as it was, his sin being forgiven, there would, in a few days, be a perfect atonement made for it, and he perfectly reconciled to God again. But all this would not pacify him, for the longer the more restless ; and therefore I ordered him to retire to his closet, and there spend his time constantly in prayer, without permitting any one to interrupt him ; and this was in the morning early, when, the evening following, I was to send away all my letters. I did indeed make the more haste, for fear he should disclose it to any body ; yet I had given him a strict charge to keep it to himself, and the very thing, that I most feared, to my great sorrow, came to pass ; for, just in the nick of time, the devil, who hath always his instruments at work, sent the Prince of Conde to the court, who asked for the king : he was told, that he was in his closet, and would speak with no man : he impudently answered, That he must and would speak with him ; and so went directly to his closet ; he being a great peer, no man durst hinder him. And, being come to the king, he soon perceived, by his countenance, that he was under some great trouble of mind, for he looked as if he had been going into the other world immediately. Sir, said he, What is the matter with you ? The king at the first refused to tell him, but, he pressing harder upon him, at last the king, with a sorrowful complaint, burst out, and said : ‘ I have given Father La Chaise a commission, under my hand, to murder all the Hugonots, in one day, and this evening will the letters be dispatched to all parts, by the post, for the performing it ; so that there is but small time left for my Hugonot subjects to live, who have never done me any harm.’ Whereupon this cursed rogue answered, ‘ Let him give you your commission again.’ The king said, ‘ How shall I get it out of his hand ? For, if I send to him for it, he will refuse to send it.’ This devil answered, ‘ If your majesty will give me order, I will quickly make him return it.’ The king was soon persuaded, being willing to give ease to his troubled spirit, and said : ‘ Well, go then, and break his neck, if he will not give it you.’ Whereupon, this son

of the devil went to the post house, and asked, if I had not a great number of letters there? and they said, Yes, more than I had sent thither in a whole year before. Then said the prince, 'By order from the king, you must deliver them all to me;' which they durst not deny, for they knew well enough who he was. And no sooner was he got into the post-house, and had asked these questions, but I came also in after him, to give order to the post-master to give notice to all those under him, in the several parts of the kingdom, that they should take care to deliver my letters with all speed imaginable. But I was no sooner entered the house, but he gave his servants order to secure the door, and said confidently to me, 'You must, by order from the king, give me the commission, which you have forced from him.' I told him I had it not about me, but would go and fetch it, thinking to get from him, and so go out of town, and send the contents of those letters another time; but he said, 'You must give it me; and, if you have it not about you, send somebody to fetch it, or else never expect to go alive out of my hands; for I have an order from the king either to bring it, or break your neck; and I am resolved either to carry back that to him in my hand, or your heart's blood on the point of my sword.' I would have made my escape, but he set his sword to my breast, and said, 'You must give it me, or die; therefore deliver it, or else this goes through your body.'

So, when I saw nothing else would do, I put my hand in my pocket and gave it him; which he carried immediately to the king, and gave him that and all my letters, which they burnt: and, being all done, the king said, now his heart was at ease. Now how he should be eased by the devil, or so well satisfied with a false joy, I cannot tell: but this I know, that it was a very wicked and ungodly action, as well in his majesty, as the Prince of Conde, and did not a little increase the burthen and danger of his majesty's sins. I soon gave an account of this affair to several fathers of our society, who promised to do their best to prevent the aforesaid prince's doing such another act; which was accordingly done, for, within the space of six days after the damned action, he was poisoned, and well he deserved it. The king also did suffer too, but in another fashion, for disclosing the design to the prince, and hearkening to his counsel. And many a time since, when I have had him at confession, I have shook hell about his ears, and made him sigh, fear, and tremble, before I would give him absolution; nay, more than that, I have made him beg for it on his knees, before I would consent to absolve him. By this, I saw that he had still an inclination to me, and was willing to be under my government: so I set the baseness of the action before him, by telling the whole story, and how wicked it was; and that it could not be forgiven, till he had done some good action to balance that, and expiate the crime. Whereupon, he at last asked me what he must do? I told him, that he must root out all the hereticks from his kingdom: so, when he saw there was no rest for him, without doing it, he did again give them all into the power of me and our clergy, under this condition, that we would not

murder them, as he had before given orders, but that we should by fair means, or force, convert them to the Catholick religion; to which end he gave us his dragoons to be at our devotion and service, that we might use them as we saw convenient, to convert them to the true religion. Now, when we had got the commission, we presently put it in practice, and, what the issue of it hath been, you very well know. But, now in England, the work cannot be done after this manner, as you may perceive by what I have said to you; so that I cannot give you better counsel, than to take that course in hand wherein we were so unhappily prevented; and I doubt not, but that it may have better success with you than with us.

I would write to you of many other things, but that I fear I have already detained you too long; wherefore I shall write no more at present, but that I am

Your friend and servant,

LA CHAISE.

Paris, July 8th,  
1688.

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## THE CAUSES AND MANNER OF DEPOSING

A

### POPISH KING IN SWEDEN,

TRULY DESCRIBED.

London, printed for R. Baldwin in the Old Bailey, 1688. Folio,  
containing two Pages.

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**G**USTAVUS Ericson King of Sweden, having settled the reformed religion in Sweden, and reigned thirty-eight years, left his kingdom to his son Erick, who, for his cruelty and ill government, was deposed, and his whole line exhereditated, to make way for John Duke of Finland, his younger brother.

John had a son, called Sigismond, who being secretly bred up in the Romish religion by his mother, who was of the Sagellonian royal family of Poland, was, in his father's time, elected king of Poland.

The said King John had also a younger brother, called Charles Duke of Sudermania, Nericia, &c. and a younger son of his own name, called, Duke of Ostrogothia.

King John died in the year 1592, in the absence of King Sigismond, his eldest son; during which, Charles, Duke of Sudermania, his uncle, at the desire of the States, took upon him the government; but sent to invite his nephew Sigismond, to come and take possession of his native kingdom, as soon as might be: promising in the mean

time, to keep all quiet, and intimating, that he hoped his majesty, when in possession, would maintain all in the true religion and divine worship, and preserve the laws of Sweden.

At the end of the year he arrived in Sweden, having in his company Francesco Malespina the Pope's legate, who hindered him long from consenting to any security, either for religion or property; but finding the coronation would be obstructed without that, he gave way, as having yet, as the historian says, one starting-hole remaining, which was, that faith was not to be kept towards hereticks. In the mean time, he himself would have crowned the king in the cathedral at Upsal, but was opposed by the Archbishop of Upsal, whose right it was, even if that kingdom had been Popish.

The coronation being over, which had been delayed above a year, during which time, several secret attempts had been made upon Charles, Duke of Sudermania, to make him away, King Sigismond, contrary to his coronation oath, erected a Popish church in the capital city: made a great man of his religion, governor of the castle of Stockholm, in which the records of the chancery, and the arms and ammunition of the kingdom were kept, and in the port, were the best part of the royal navy, under command of the castle.

A certain Jesuit, called Adam Steinhall, obtained the Arcentian temple, and the Queen's island, with the Vastheman monastery, which was presently filled with Romish priests.

Sigismond, also by his followers and attendants, continually affronted the established religion, and was sending into Poland, for a body of forces, able to subdue the kingdom, upon which discontentments grew so high, that he hastily withdrew thither himself.

He left Sweden in confusion, having only for form's sake, writ to his uncle Charles, to assume the administration jointly with the senate: but, at the same time, leaving others with greater power, both in Sweden and Finland, as appeared when he was gone.

Charles, Duke of Sudermania, to avoid discord and confusion, called a convention at Sudertopia, which was opened with an oath of allegiance to King Sigismond, and did likewise assert the kingdom's right, to have the coronation oath performed; which having been violated in the tender point of religion, they redressed the grievance, and suppressed the exercise of the Romish religion, banishing all priests and preachers of the same, and the ancient incumbents of the Vastheman monastery were restored.

Then they desired the Duke Charles, to accept of the administration, for the good of the kingdom, which he did. Then began a treaty between Sigismond, and the convention, with Duke Charles at the head of it, which was by Sigismond spun out, and obstructed with much artifice; at length the convention made several decrees for security of religion and property, and entered into an association, for the defence of them, which they desired the king to confirm, and gave six weeks time to all that dissented, to submit, on pain of being declared enemies to the publick peace.

They invited him home, to return in a peaceable manner, and settle the other affairs of his native kingdom; but instead of that, he invaded them with an army of eight thousand horse and foot, and a

hundred sail, to which several Swedes joined themselves, whom he had gained with money.

An agreement was endeavoured, and, after much intercourse of negotiation, both armies being near one another, it was consented to on both sides, that twelve of the nobility of each side should meet and decide the whole controversy. But by the persuasion of the Jesuits, the royal army in the night, conducted by Weyerus, set upon the ducal camp; in which onset, several thousands were slain, but at last the king and all his army had been cut off, had they not called out for peace, which the duke yet hearkened to.

An agreement followed, in which the king demanded to be supplied with a navy to go to Stockholm, promising there to call an assembly of the States; but he no sooner had the shipping, but he sailed away for Calmar, in which place he left a garrison of foreigners, and then continued his voyage to Dantzick.

The king being gone, an assembly of the States met at Stockholm, where they declared King Sigismund fallen from the crown and government, and were so inclined to continue the succession, that they offered to receive his son, Prince Vladislaus, provided he might be sent home, bred up a Protestant, and committed to the guardianship of Duke Charles, but Sigismund refused it.

Afterwards another parliament met at Lincopla, and there they first did expressly renounce King Sigismund, and his government, as also his laws.

Then they acknowledged Duke Charles of Sudermania, for their lawful king, and after him settled the crown upon his son Gustavus Adolphus, and his heirs male.

Duke John concurred with the parliament, and renounced his pretence to the crown, and was content to come in after the line of Duke Charles.

The daughter and sister of Sigismund were also rejected.

Then followed the coronation of King Charles, in the year 1607, by the name of Charles the Ninth.

These were the proceedings in Sweden, whereupon I shall only make these few short reflexions:

I. That the Swedes were desirous, to the last degree, to preserve the succession, according to one part of the laws of the kingdom, provided that might be done, without overturning all the rest; they were wise enough to preserve laws, while laws preserved the nation, which is the true end of all laws, but no longer.

II. That King Sigismund, according to the spirit of his religion, where ever it is grown up to bigotry, broke through his oaths, and all rules of justice and morality, when they crossed the insatiable ambition of his priests.

III. That though the Swedes, when they found that they could not keep their king, his direct heirs, their religion and liberties, all together, resolved to part with the former, they were forced to be very cautious, and endeavour to gain time by treaties, to unite themselves against Sigismund, who had Poland and several allies to back him; without which considerations, the prudence, they shewed



on this affair, may assure us, they would not have suffered the government in so loose a posture, so long as they did.

IV. That the Swedes knowing, that it is impossible on any occasion, that all men should be of the same mind, wisely ordained, that the minor part should submit to the major, or be declared enemies to the publick peace. And sure this example will be followed, where-ever reasonable and disinterested men meet on the like occasions; for sure no body can deny, but that it is better for any nation, that some laws should be made, and others broken, against the opinion of the minor part, than that all laws, morality, and good nature, should give place to passion, injustice, and cruelty, through their obstinacy.

Now may God Almighty open the eyes of all Englishmen to see, and their hearts to embrace this truth.

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THE  
**LAST WILL OF GEORGE FOX,**  
*THE QUAKERS GREAT APOSTLE,*  
 AS IT WAS ALL WRITTEN BY HIS OWN HAND,  
 AND IS  
 NOW LYING IN THE PREROGATIVE-OFFICE,  
 BY DOCTORS-COMMONS, LONDON;

Attested by three eminent Quakers, whose Names are undermentioned: With a Copy of the Administration in Latin, taken out of the said Office, signed by Thomas Wellham, Deputy-Register, containing two columns; that on the left-hand, being the Original, in his false English and Spelling; the other, on the right-hand, put into true English, the Original being unintelligible. Published to convince the World, That he who made this Will, and could not write one Line of true English (and yet pretended high Skill in the Learned Languages, witness his Battledoor, and Primer to the two Universities; who said, in his Battledoor, 'All Languages were no more to me than Dust, who was, before Languages were') is not the Author of any one Page in all those Books, which the Quakers have impudently published under his Name. Printed on a Broad-side

*E Registro Curie Prærogative  
 Cant. Extract.*

*A Copy of the Will of George  
 Fox, in true English, the Original  
 being unintelligible.*

\*I. **J** now give to Thomas Lover my sadell, the ar at Jhon Nelsons, and bridall, and sporg and bootes, inward letherethd, and the

**I** Do give to Thomas Lower my saddle and bridle, they are at John Elson's, and spurs and

• Endorsed on the first paper, numb. 1, for Thomas Lover, this.

Newingland Indan Bible, and my great book of the signifying of names, and my book of the New Testement of eight langves; and all my fisekall things, that came from beyand the seay, with the ovt landeah cyp, and that thing that people doe give glisters with, and my tov diales, the one is an eknocksa diall.

And all my over pvesh bookes to be devided amovng my 4 sones in law; and also all my other bookes, and my hamack, I doe give to Thomas Lover, that is, at Bengamin Antrvbvs his closet, and Rachall may take that which is at Swarthmor.

And Thomas Lover may have my walnvt eqvnockshall diall, and if he can, he may geet one cut by it, which will be hard to doe; and hee shall have one of my prosspect glaseses in my trovnk at London, and a pare of my gloveses, and my seale G. F. and the flaming sword to Nath. Mead, and my other 2 seales J. Rose, the other Dan Abraham.

And Thomas Lover shall have my Spanesh lether hyd; G. F. And S. Mead shall have my magnifying glas, and the torkellshell com and cace.

\*II. And all that I have writen, consaring what I doe give to my relashons, ether mony or other waes, Jhon Loft may put it up in my tronke at Jhon El. sones, and wright all things downe in a paper, and make a paper out of all my papers, how I have orderd things for them; and Jhon Loft may send all things down by Povelesworth carrer, in the trovnke, to Jhon Fox, at Povelesworth in Waricksher; and let John Fox send John Loft

boots, inward leathers, and the New England Indian Bible, and my great book of the signifying of names, and my book of the New Testament of eight languages; and all my physical things, that came from beyond the sea, with the outlandish cup, and that thing that people do give clysters with, and my two diales, the one is an equinoctial dial; and all my overplus bookes to be divided among my four sons-in-law: and also all my other books, and my hammock, I do give to Thomas Lower, that is at Benjamin Antrobus's closet; and Rachel may take that which is at Swarthmore; and Thomas may have my walnut equinoctial dial, and if he can, he may get one cut by it, which will be hard to do; and he shall have one of my prospect glasses, in my trunk at London, and a pair of my gloves, and my seal, G. F. And the flaming sword to Nath. Mead, and my other two seals, J. Rouse, and the other, Daniel Abraham; and Thomas Lower shall have my Spanish leather hood, and S. Mead shall have my magnifying glass, and the tortoiseshell comb and case, G. F.

And all that I have written concerning what I do give to my relations, either money, or other ways, John Loft may put it up in my trunk at John Elson's, and write all things down in a paper, and make a paper out of all my papers, how I have ordered things for them; and John Loft may send all things down by Poulsworth carrier, in the trunk, to John Fox, at Poulsworth, in Warwickshire; and let John Fox send John Loft a full

\* On the second, numb 2. This is to be put up among George Fox's sealed up papers, that packet that Sarah Mead hath.

a full receipt and a discharge, and in this matter, and none of you may be concerned, but John Loft only; and my other lettell trunke, that standeth in Benjamin Antrubus's closet, with the outlandish things, Thomas Lower shall have; and if it be ordered in any other papers to any other, that must not stand soe, but as now ordered, G. F. And Sary, thou may give Sary Frickenseld half a gine, for shee hath bene serviceable to mee, a honest carfull young woman, G. F.

Make noe noises of these things, but doe them in the life, as I have ordered them; and when all is done and cleared, what remeines to the printing of my bookes, Benjamin Antrubus and Mary hath 100 pound of mine, take noe noyes of them for it, when you doe receive it.

And in my cheast, in Benjamin Antrubus's chamber, there is a lettell gilt box, with some gold in it; Sary Mead to take it, and let it doe service among the rest, soe far as it will goe; the box is sealed up, G. F.

And let Thomas Dockra, that knoweth many of my epistles, and written books, which hee did write, come up to London, to assist friends in sorting of my epistles, and other writings, and give him a gine, G. F.

\*III. I doe orde Wm. and Sary Mead, and T. Lower, to take care of all my bookes and epistles, and papers, that be at Benjamin Antrubus's, and at R. R. Chamber, and those that come from Swarthmore, and my Journal of my Life, and the passages and travells of friends, and to take them all into their hands;

receipt, and a discharge, and in this matter none of you may be concerned, but John Loft only.

And my other little trunk that standeth in Benjamin Antrubus's closet, with the outlandish things, Thomas Lower shall have; and if it be ordered in any other papers to any other, that must not stand so, but as now ordered, G. F.

And Sarah, thou may give Sarah Freckleton half a guinea, for she hath been serviceable to me, an honest careful young woman, G. F. Make no noise of these things, but do them in the life, as I have ordered them:

And when all is done and cleared, what remeines to the printing of my books, Benjamin Antrubus and Mary hath one hundred pounds of mine, take no use of them for it, when you do receive it.

And in my chest, in Benjamin Antrubus's chamber, there is a little gilt box, with some gold in it; Sary Mead to take it, and let it do service among the rest, so far as it will go; the box is sealed up, G. F.

And let Thomas Dockra, that knoweth many of my epistles, and written books, which he did write, come up to London, to assist friends in sorting of my epistles, and other writings, and give him a guinea, G. F.

I do orde William and Sarah Mead, and Thomas Lower, to take care of all my books and epistles, and papers, that be at Benjamin Antrubus's, and at R. R. Chamber, and those that come from Swarthmore, and my Journal of my Life, and the passages and travels of friends, and

\* On the third, numb. 3. For George Fox, to be laid in the trunk, W. M. the eighth month 1636.

and all the over pluch of them the may have, and keep together as a library, when the have gethered them together, which ar to be printd.

And for them, to take charge of all my monny, and defray all as I have ordered in my other papers.

And any thing of mine the may take, and God will, and shall be ther reward: the 8 Mo, 1688.

Thomas Lover, and John Rous, may assist yov, G. F.

And all the passages and travles and sverings of frinds, in the beging of the spreading of the trouth, which I have kept together, will make a fine histery, and the may be had at Swarthmore, with my other bookes; and if the com to London, with my papers, then the may be had, either at Wm. or Ben Antrubs closet, for it is a fine thing to know the beging of the spreading of the gospell, after soe long night of apostace, since the aposteles dayes, that now Christ raines, as he did in the harts of his people. Glory to the Lord, for ever, Amen, G. F.

The 8 Mon, 1688.

to take them all into their hands; and all the overplus of them they may have, and keep together as a library, when they have gathered them together, which are to be printed; and for them to take charge of all my money, and defray all, as I have ordered in my other papers; and any thing of mine they may take, and God will, and shall be their reward.

The 8th Month, 1688. G. F.  
Thomas Lover, and John Rouse, may assist you: and all the passages, and travels, and sufferings of friends, in the beginning of the spreading of the truth, which I have kept together, will make a fine history, and they may be had at Swarthmore, with my other books; and if they come to London with my papers, then they may be had either at W. M. or Benjamin Antrobus's closet, for it is a fine thing to know the beginning of the spreading of the gospel, after so long night of apostasy, since the apostles days, that now Christ reigns, as he did in the hearts of his people. Glory to the Lord for ever, Amen.

G. F.

The 8th Month, 1688.

*The Date of the Administration, the Thirtieth of December, 1697.*

TRICESIMO die mensis Decembris anno Domini millesimo, sexcentesimo, nonagesimo septimo emanavit commissio, Margarete Fox, relictæ & legatarie nominatæ in testamento Georgii Fox, nuper de Swarthmore in comitatu Lancastriæ, sed in parochia omnium Sanctorum, Lombard-street, London, defuncti habentis, &c. Ad administrandum bona jura & credita dicti defuncti juxta tenorem & effectum testamenti ipsius defuncti (Eo quod nullum omnino nominaverit executorem) declaratione in præsentia Dei Omnipotentis, juxta statutum parlamenti in hac parte editum & provisum de bene & fideliter administrando eadem per dictam Margaretam Fox prius factâ.

Tho. Wellham, registrarii deputatus.

*The Persons hereafter named, by their solemn Declaration, subscribed under their hands, did affirm the above-written to be wrote with the proper hand of the said George Fox deceased, they being acquainted with his hand-writing.*

S. MEAD, wife of W. Mead, of the parish of St. Dyonis Back Church, London, citizen, and merchant taylor of London.

W. Ingram; of the parish of St. Margaret, New Fish-street, London, aged about fifty-seven years; he knew George Fox, about forty years.

G. Whitehead, of the parish of St. Botolph without Bishopsgate, London, Gent. aged about sixty years, knew George Fox above forty years,

N. B. In this will, the pride and vanity of the deceiver is as notorious, as the credulity of his deluded followers. For what else could make him think, that his nasty comb and clyster-pipe would be such acceptable relicks among his friends? But this is he who first deluded them, their infallible Pope, and who to his death continued their admired idol. This is he who taught them to renounce their baptism, and the hope of a resurrection after death; and notwithstanding all their sly equivocations, by this his will is manifest, that he neither believed nor expected it. The reader is not to wonder that here is no confession of sin. Pope George alas! was all perfection and sinless, and his disciples have ever since so conceited of the sufficiency of their own merit, that no true quaker was ever known to die, with a Lord have mercy upon him in his mouth.

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LETTER to KING JAMES, *see Vol. i. p. 23.*

ADDRESS for the FRENCH WAR, *see Vol. i. p. 74.*

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# THE PRESENT STATE OF EUROPE :

BRIEFLY EXAMINED,

AND FOUND LANGUISHING;

OCCASIONED BY

THE GREATNESS OF THE FRENCH MONARCHY;

FOR CURE WHEREOF,

A REMEDY (FROM FORMER EXAMPLES)

IS HUMBLY PROPOSED.

Wrote upon Occasion of the House of Commons's Vote to raise £800000. to equip a Fleet for the Year 1671, moved thereunto by the pretended March of the French Army, towards the Marine parts of Flanders. By Thomas Manley, Esq. 1689.

**T**HE present designs and puissance of France, both by sea and land, being, at once, both the wonder and dread of Europe, hath possessed me with so many sad reflexions on that subject, that I, who am but dust and ashes, and dwell in the shades of obscurity, cannot refrain to form and meditate, how bars may be put to such approaching dangers, especially, since the honour, safety, and welfare of our prince and country ought to be the bent and study of the most retired subject.

The present state of Europe I might fitly resemble to the body of a man, wherein all the members either languish, or are viciously affected; some through self-mischiefs, others oppressed by their fellow members. Spain (heretofore the great pretender to the western monarchy \*) droops through her own follies †, whereof, if she expire, a jury will undoubtedly find her a *felo de se*, while her neighbour Portugal, instead of holding her sick head, and pitying her case, is ready, on all occasions, to knock out her brains. Italy and Germany are troubled with one disease, through the windy humours of her many and ambitious princes, whose continual jealousies fill them with gripings and disquiets: England and Holland are desperately bruised through mutual buffetings, to which France cunningly loqued them on ‡, intending like Simeon and Levi, to suppress these Sechemites §, when sore and unable to resist; all which mistakes

\* Till Oliver Cromwell enabled France to raise the same ambitious views upon the ruins of Spain.

† See the rights of the house of Austria to the Spanish succession, in vol. x. of this collection, anno 1701.

‡ Alluding to the unnatural war proclaimed by King Charles the Second, against Holland, by the instigation of France.

§ England and Holland, when wasted in their strength and wealth, by a long and bloody war,

and calamities have been to France, as so many indulgent nurses to feed and pamper her; who, like unruly cattle, trespass most on that neighbour, whose fence is lowest, and quarry best without fear of impounding, whereby (like the head in a body rickety) she grows to an unproportionable and dangerous bigness, whilst her erring neighbours (like the members) waste and languish; of whose sudden and prodigious growth, I will not now insist on (which yet is none of the least dreadful considerations) nor tell how our Cromwell seemed a dictator there; nor record how six thousand English red coats were, at that time, more essential than humanity and protection to an oppressed king \* of the blood of France †; for now the scene being altered by the admirable conduct of a prince, whom, therefore, his subjects ought to reverence, I cannot but observe how Christendom, instead of a generous resentment, and defence of the oppressed, shrinks and faints at every undue seizure made by that haughty monarch, as if they fancied such softness could secure their own peace, or charm an ambitious conqueror into modesty, or put a stop to his career, whose utmost end is the western monarchy, whereunto, with spread sails, he now apparently hasteneth; whereas they ought rather to be powerfully persuaded, that such tameness must at once enable, and encourage him to devour them also.

What prudence can justify such procedure? can time and patience repair the mistakes? or may such easy conquests glut his appetite, or possess him with compassion, to spare the rest? or does not rather one conquest beget a stomach and ability to more and greater? who can suppose the seizure of Lorraine will immerse him in ease and voluptuousness? or his successes in Flanders serve as an atonement to secure the rest? must not these unrevenged conquests rather be as so many prosperous gales to transport him to greater achievements? seeing the like drowsiness, in relation to Christian princes, gave occasion, formerly, to the growth of the Ottoman greatness, and is like still to add to his triumphs; and, as an historian observes in the like case of the antient Britons, *Dum singuli pugnāt, universi vincuntur*.

Remarkable, then was the former, policy of these western princes, when, with the hazard of their ease and lives, they maintained the power of Christendom in an equal balance, dexterously throwing their arms into that scale which appeared lightest, knowing they secured thereby their own peace and government. On this account, England and France are thought to have wisely fomented the revolt of the Low Countries, and were, in effect, as fond, by that means, to lessen the grandure of Spain (who then alarmed Europe, as France does now) as if they themselves had made new conquests. Hence it was, that Philip the Second, by way of requital, and our Elisabeth (to whose

\* Charles the Second.

† Cromwell, being solemnly inaugurated Protector, on the 29th of June 1657, immediately presented to a league with France against Spain; thereby stipulating, that all the children of King Charles the First, and their adherents, should be entirely forsaken by the French king, and drove out of his dominions; and that, in consideration thereof, Cromwell sent six thousand of his best troops into France, under the command of Reynolds, by which means the balance of Europe was transferred, from Spain, to the power of France.

prudence, and memory, we owe our remaining glories) threw oil, and not water, into the long troubles of France; with which council, the same Philip was so transported (judging it the best expedient to improve his grand design of the western monarchy) that to carry the war into France, he apparently (but not wisely) neglected his own affairs in the Low-Countries; thereby spelling a most sovereign antidote, by an unseasonable application. Nor was the costly attempt of 1588 any thing, but carrying fire into \* an enemy's kingdom, the better to extinguish the flame made by that fee, in his country; kingdoms (like houses in a dreadful fire) being best secured by blowing up the next dangerous neighbour: hence, the French are supposed (by no fools) to have been both the midwife and nurse to our late Scottish and English wars †; begot the several costly wars between us and Holland ‡; continued and fostered the revolts both in Catalonia and Portugal, and of late assisted that king, both with men and money.

Cromwell, indeed, was an unparalleled sinner against this antient king-craft, when, postponing the general tranquility, to his own wretched humour and interest, he assisted France, at such a time, that all the world judged her too powerful for her rival, Spain, who then lay drooping under her own wounds and follies, in relation, principally, to the ill conduct of her treasure, which, alone, will founder the strongest empire; and had this nation no other crime to charge on that ill man (who, like the greatest mortals, must, living or dead, be exposed to the severest censure of the people) it were alone sufficient to render him an impolitick and hateful person, to all generations. Whereas, on the contrary, we owe great reverence to the wisdom of his majesty, in espousing the triple alliance, and entering generously into other leagues, in order to secure the peace of Christendom. But, yet, I humbly conceive, it is not enough for a cheap, sure, and lasting peace, so long as the balance remains so unequal between the two great pretenders; and France, through her military grandure, continues so armed, able, and daring, to give perpetual frights and alarums to the whole neighbourhood; whereby, a peace, through a just and necessary jealousy, becomes as costly as war itself, consuming those that are suspicious of her; and the daily motions and buzzings of her armies oblige the neighbours, with sword in hand, to an eternal watchfulness, lest, unawares, the blow be given; which continual bendings inevitably must draw so many dreadful weaknesses on the parties concerned, as must, at length, without a miracle, improve both the designs and glories of that prince; which is so obvious to all considering men, that some of his own subjects have had the vanity, of late, to boast, even in this kingdom, what charge their king would put us unto, by marching his army (mighty, and in perpetual pay) yearly near our coasts, before really he would attack us: and certainly, great must the advantage be, which France hath now over us (whereby an estimate may be

† England. See this whole expedition, vol. 2. page 148, &c.

‡ Between King Charles the Second and his parliament.

§ In the reign of King Charles the Second.



taken of our decay, even in the midst of peace) if, when the humour possesseth that daring monarch (whose armies, like birds of prey, are always on the wing) to move towards us, either in pretence, or reality (which, by the event, is only determinable) we must equip, at least, our fleet, at six or seven hundred thousand pounds charge, to prevent the mere fear of an invasion; and when we are wearied, and consumed by so many fruitless, yet necessary armings, and laid to slumber after so many alarums, who can but easily foresee what dreadful effects may ensue? Wherefore, I conclude, with that great statesman, Cicero, *Pace suspecta tutius bellum*\*.

But suppose, that, whilst the United Provinces and Spain maintain their posts, we were able both to resist his attempts, and bear the expence, yet, it is scarce deniable, but, if he devour those countries, by piece-meals, and pluck up that glorious commonwealth, by the roots (which, without effectual assistance, infallibly he will) we must also receive a law from him; for what can then keep us, with the rest of Christendom, from subjection to that crown? since we already see the very clappings of his wings beget amazement. Join the power and riches of Holland to him, and all the known world must bow to his scepter.

Again, should France attempt, and reduce us to severe terms, whilst our neighbours stand with their arms a-cross, it would only expedite their confusion, and draw on them a more certain conquest.

I will not, therefore, doubt, but as the safeties of us, and our allies, are floating in one common bottom, and fortified by mutual interests (the only true cement of leagues) so our joint designs, when once put into action, will be vigorously pushed on, till the balance of Christendom be reduced to its proper standard. And, whereas it must be granted, that no conquest can satiate, bonds tye, nor leagues charm this great pretender†, whereby the milky ways of peace may felicitate Europe, without the costly and terrible guards of armies, so long as the odds remain so unequal, and this mighty hero (armed and victorious) is able thus to affright the world, he, for his neighbours, impose upon the weak, and, on every feeble pretence, ransack their countries, without revenge; nothing remains justifiable by the just rules of policy, but with the joint arms of all parties concerned (which, indeed, is all Europe) to attack this illustrious man, upon the very first just provocation, and by dint of sword, carry the war into his own bosom; and from the example of wise princes, make his country, at once, both the seat of war and desolation; whereof the Romans, in the war of Carthage, are a puissant instance; whereas, on the contrary, the states, and princes of Europe, Italy especially, neglecting of late to assault the Turk powerfully before Candia, are now justly expecting him, with horror and amazement, at their own doors. He that fights in his enemy's country, does in effect, fight at his enemy's cost; and when peace is clapped up, leaves his enemy, for that age, poor, and miserable, as

\* A war is safer than a suspected peace. † To universal monarchy.

we have, not long since, beheld in poor Germany. The French king, therefore, commonly makes himself the assailant, maintaining half his wars at his adversaries charge, by fighting in their countries; where, if he receive a blow, he has his own unharrassed kingdom, either to receive, or recruit him; and our heroick Elisabeth (who, knowing that virtue and justice were the only ligaments of her people's love, governed her affairs with miraculous wisdom and housewifery, made her payments sure to a proverb, and was accordingly adored) studied by all arts imaginable to fight her enemies on their own soil, whereby at once she imprinted thereon the terrible marks of desolation, and preserved her country as proper fuel, wherewith, on all occasions, to consume her adversaries. Nor was her sister Mary intentionally her inferior in this particular, when the loss of Calais (which, in her hand, was so ready an inlet to assail either of the great pretenders, as common interest directed) was supposed either to have occasioned, or hastened her death. For this reason, all our kings, from the glorious Edward the Third, to Queen Mary, being two hundred and ten years, with infinite care and cost, preserved Calais against all comers, as a sacred jewel of the crown; however, a sort of new policy seems of late to have been introduced. He that fights out of his country, seldom ventures any thing besides an army; but he that is assaulted, and beat upon his own dunghill, commonly loseth that with the victory, or at least suffereth ten-thousand calamities, besides the usual terrors of invasion: whereof the Swedes descent into Germany, by virtue of their king's courage and alliances (such as I drive at) is a wonderful example; wherein, a puissant emperor (armed and victorious as France is now) was courageously set upon, and after a fierce war of sixteen years, and the death (as is supposed) of three hundred thousand Germans, torn to pieces by so many eager confederates (whereof France was none of the small ones) who by the deep counsels of those mighty oracles, Richelieu and Oxenstern (guided peradventure by a divine hint) pursued this method, as the likeliest way to chastise and humble that haughty family, who otherwise, possibly, would by piecemeals, or drowsy peace, have swaggered, if not subdued Europe. Let brave princes, for the common safety of Christendom, repeat this counsel, on another theatre, the scale may soon be turned, and France most justly be chastised with her own terrible scourge forty years after; otherwise it must be a long and unlucky war, managed by France, on the soil of other princes, to make her miserable, so long as she enjoys peace at home. Allow her that, and she may tug hard with Christendom; like Spain, who, by virtue of the domestick peace, contended, in effect, with all Europe, for eighty years, and put them shrewdly to their trumps. Nothing more, than peace at home, enables a prince to manage wars abroad; he then that will humble his enemy, must throw wild fire into his bosom, carry the war into his country, and strike home, at the head and heart.

Nor are the ill humours, which, peradventure, may be found, in every country, the meanest argument to excite an invasive war; since poor Germany received the deepest wounds, from his own weapons,

and France by her arbitrary government, and intolerable impositions (to omit the natural fickleness of her people, the oppressed Huguenots, and the lofty and never-dying pretences of the house of Conde) hath probably prepared combustible matter, wherewith at any time to consume herself, when once, especially her neighbours, with powerful arm, bring flames unto it, which otherwise (as we have there often seen within this thirty years) is, in effect, as soon extinguished as begun.

Why then does Europe slumber, and meekly suffer such dangerous clouds to increase, and impend, till of themselves they break about their ears? Our common safeties invoke our common arms to assail this lion in his den, pare his claws at least, and abate his fierceness, and instead of expecting him in ours, attack him vigorously in his own country on the next just provocation, since nothing is more certain than that delays and softness fortify the danger, and improve that, which, in prudence, is now resistible, into a folly to withstand. Slight distempers, at first despised, prove oftentimes deadly; whereas to meet with a disease, before it come to the crisis, is a probable means to ascertain the cure, and *venienti occurrere morbo*, may be as choice a maxim in government, as aphorism in physick. *Pax queritur bello*, was a shrewd motto of a bad man, and ought, more justly, on this occasion, to be wrote in capital letters, on all the confederate standards of Europe. In fine, he that sees not an absolute necessity of embracing speedily a confederate war, to abate the edge of this illustrious pretender, hath either not duly weighed the danger, has some vile, and by-ends, Bethlem mad to introduce some heresy, or is resolved to truckle. *Tanti religio potuit suadere malorum*.

I should tremble to sound a trumpet to war (which is always accompanied with fearful circumstances) did I not from my soul believe that a supreme peace, like an incurable gangrene, would create greater calamities, and introduce both a certain war, and the hazard of a total subversion. For, if whilst we become meer spectators of our neighbour's losses, and calamities, this prince, either by force or subtlety, improve his dominions, we can expect no other favour, but the miserable satisfaction, either to be last devoured, or shamefully imposed upon; which sounds so dolefully in every free-born ear, that, to prevent it, nothing can be esteemed too dear; whereas a speedy arming of all the confederates may not only repel, but force the infection into his own bowels, and make him experimentally feel those miseries, which, meerly to aggrandise his name, and kingdom, he has incompassionately brought on others; whereof I may not doubt, when I consider how one of his majesty's three kingdoms by the proper virtue of her kings (which were truly heroick) and the slender help of some one confederate, hath more than once made terrible impressions in France, and turned up even the foundations of her government; for which those brave princes will be eternally celebrated, whilst the memory of the slothful and voluptuous perish, who, by forgetting their own, and their nation's honour, have taught their own and future ages, to forget and dishonour them. So true is

it; that that prince, who reigns without honour, lives in contempt, and danger, and has his tomb, at last, besmeared with reproaches.

Men cannot be wanting for so honourable and necessary a war, whilst these three kingdoms enjoy peace at home; nor money (the soul of war) if prudently managed, since the issue of such a war must, with the divine blessing, secure the subjects in their beds, and establish such a peace as may be a lasting happiness to the Christian world. They will therefore certainly tear open their breasts, and give the king their hearts, and with them their hands and purses, whilst, with Cato, they esteem nothing too dear for the peace of the commonwealth, according to the Dutch motto, 'Defend us, and spend us.'

And, although we must not expect a cheap war, yet certainly it cannot be dearer than a watchful, suspected, and languishing peace, in which we must consume the treasure of our nation, by upholding great armaments by sea and land, to watch a seeming friend, that he become not a real enemy, and yet not be able to prevent it at last. Nor needs any treasure be exported in specie (which, by all imaginable ways, ought to be avoided as part of our life-blood) but the value thereof transported in the growths and manufactures of England (besides clothes for the soldiery) which either his majesty's ministers may there expose to sale, or our confederates be obliged to answer quarterly at a certain rate; being assured the Swedes maintained that long war in Germany, without drawing any silver out of their dominions; but, contrariwise, enriched their country with the choicest spoils of their enemies, as by woful experience we have found the Scots wisely to practise upon us\*.

I know it will be objected, that we are in an untoward pickle to begin a war, after so many hideous calamities, grievous impositions, and universal fall of our rents, occasioned by a thousand follies; and why shall we throw off peace a moment sooner than we must needs lose her; seeing, with the loss of her, our trade must be miserably interrupted?

To which, I answer, that were the continuance of peace and trade to be always at our option, and that probably, the power of no neighbour could ever part us, he were beyond the cure of hell-bore†, that would propose war in their stead; but seeing the case is quite contrary, peace and trade were better suspended for some years, with probable hopes to enjoy them plentifully afterwards, than, after a short enjoyment, to humour an unreasonable fondness, lose them and freedom eternally. Not, but that I am powerfully persuaded, that the very commencement of such a war may be so far from interrupting our trade a moment, that it may be, at once, the only means to enlarge ours, and beat the French out of hers; whereas, we now plainly see, how, during this present uncertain peace, she dilates her commerce, and thrives on the ocean; which, with the very first approaches of a confederate war, must, in all probability, vanish; whilst the Dutch and we have thereby so many advantages, both to beat her out of sea, and increase our own

\* At this point, before the two Kingdoms were united.

† I. e. uncurably mad.

navigation and traffick. This is certain, such a war cannot prejudice us, by hindering our trade with her; it being notoriously known, that our commerce there is, at once, mischievous to us, and strangely advantageous to her, whether you respect the open or clandestine traffick: *First*, in the quantity, by the vast over-balance of her commodities. And, *Secondly*, in the quality of them; those which she receives from us, being such as are necessary, and useful to her, and infinitely disadvantageous to us, as our wool, &c. whilst we import nothing from thence, but what we were a thousand times better to be without; and such as, if we consume them not, must, in effect, perish on their hands, to the infinite prejudice of her king, and people, as we know they now suffer by the Dutch late prohibition of brandy, salt, &c. and which, to gratify our ill-tutored humours, and appetites, subdue our rents, corrupt and impoverish our nobility and gentry, destroy our manufactures, and snatch the bread out of the mouths of our artificers, and, by consequence, increase our poor, and render us the most vain and luxurious creatures in Europe.

And, although I cannot magnify our present condition, and fitness for war; yet certainly, it is safer enterprising her abroad (as shaken as we are) with the help of powerful confederates (whose shoulders may bear part of the burthen) whilst there remain fresh hopes of victory, than slumber in a dangerous peace, till invincible mischiefs awake us, our neighbours subdued, our trade expired, war brought to our doors by a triumphant enemy heightened by conduct and successes, and cock-pit law against us; hoping, now, by a reasonable army (such as the nation may maintain in pay and courage) and the joint force of confederates, to reduce the scale, and confirm that peace, which thrice their numbers, and treble charge at another time, cannot procure; and, of all evils, the least is always to be chosen.

If I be asked, what assurance can princes have of alliances, since all ages afford untoward instances of foul play therein, to the ruin, commonly, of the most sincere and daring?

Not to distinguish between the dissimulation of the south (where, under the name of prudence and circumspection, falshood and frauds are daily revered) and the sincerity of the north (where most of our alliances are) nor debate the difference between leagues commenced by revenge, passion, or some frivolous capricio (which are no sooner patched together, than rent asunder) and those led on by the exact rules of common safety and government (whose results are immortal) I answer, that honourable leagues hold commonly inviolable, until the several fundamental interests of the confederates are secured. Now it is almost impossible, that any prince's true interest can be secured, whilst France remains so mighty and rampant. Let the league hold, till her swaggering fit be over, her nails pared, and she reduced to terms of modesty and good neighbourhood, and then let the allies fall off as they please. I know, in all leagues of this nature, differences from several little interests have risen, how far it has been safe, or necessary, to weaken the common enemy;

wherein some have always been fiercer for a total subversion than others, as in the miserable case of Germany, wherein nothing would satisfy the Swede and French, but dividing the very carcass of the imperial eagle, whilst the rest of the confederates were contented to cut off her beak and talons; yet they all agreed in this, that she was to be reduced and weakened. But suppose that allies should prove false, when once a war is commenced, what would it do else, but at once to hasten the ruin of them all? And, in the mean time, instruct the deserted prince to yield to larger terms, out-bid the apostates, stoop to the pretender (who, as a generous conqueror, must pity such) and with him, in revenge, set upon the perfidious, and make them eternally repent such unworthiness, unless safe counsels in the mean time present.

Again, it may be objected, that peace ought to be preserved as long as may be, in hopes that this busy and dangerous prince may expire, before his haughty designs are accomplished, and the affairs of France fall thereby into the hands of an infant, or a lazy and effeminate prince (that is worse than a child) accompanied (as commonly) with corrupt, faithless, or factious counsellors and flatterers, the vermin of courts, and plague and ruin of crowns and scepters, whereby (without the hazard of a war) her huffing, and prosperous condition (as frequent examples tell us) may be rendered languishing enough.

I answer, that that, which may be, may not be, and either this active prince, who is now but thirty-two, may live (without a powerful confederacy) to give Europe a woful conviction of the folly of such lazy counsel, or leave a successor to tread in his glorious steps, till that be accomplished, which all but Frenchmen ought to abhor, whatever their religious persuasions are; and what wise man will expose, even his little private affairs, to such a risque, when safer remedies are at hand.

If it be said, that, in case our neighbours think fit to invade us, we have store of Sampsons to give them warlike entertainment, whereby we may defend our own, without concerning ourselves in affairs abroad.

I answer, *First*, this is clearly against the practice of our renowned ancestors, and of all wise states in all ages, who have chosen to fight their enemies on an enemy's soil, at any rate, rather than suffer the terrors and desolations of an invasion, though the enemy should have perished all on the spot. *Secondly*, There is a moral impossibility to maintain England, otherwise than in a languid and frightful condition; were her Sampsons twice as many, should France (whilst we slumber) reduce the Spanish, and United Provinces, and annex the greater part of Germany to his flourishing and mighty kingdom; acquisitions whereof he has too fair a prospect. *Thirdly*, I dare affirm, that nothing but invincible necessity, or ill counsel, ever disposed a prince to receive an enemy into his own bowels, instead of seeking him abroad, for which I humbly offer these reasons.

I. The assailants both in their own, and their enemies opinion (which, in war, works mighty effects) have commonly the reputation

of being the better men, merely because they have the courage, to seek the enemy, at his own door.

2. The invader seldom ventures any thing besides an army, which, ten to one, is exceedingly strengthened (especially if his usage, or pay, be good) by either male-contents in church, or state, or necessitous persons, to whom novelty is welcome, and all governments alike; a reason which made Lycurgus fear to see a beggar, or a voluptuous person, who rides post to poverty, dwell in Sparta.

3. The assailed prince, in case he has not a standing army, and mighty treasure, is, by an invasion, cast into ten thousand straits, in procuring monies, and raising men, when he should be fighting the enemy, or securing the country; whilst the people, instead of taking sword in hand, fly with their amazed families, before the enemy, they know not where, cursing the follies of the government, which have undone them, whilst invasions seldom leave other counsellors, but fear and revilings, whose results are always wild and preposterous.

4. If a prince has not a treasure of his own, he shall scarce command the purses of his subjects upon an invasion, when they are busier in concealing their money to supply their own wants in the day of calamity, than expend it in defence of the publick, which their fond hopes insinuate may either be saved without it, or fears suggest is past recovery with it, as was clearly seen in the loss of Constantinople, when taken by Mahomet the great; unless the subject has an egregious reverence for the government, and counsels of the prince, as the results of his justice and virtue, whereof the great Queen Elisabeth, in the attempt of 88, is a glorious instance.

5. Soldiers are generally observed to be most warlike, and manageable, farthest from home, when freed from the cares and addresses of wives and families.

6. The prince assailed had need stand right in the opinion of his people, in relation to his religion, treasure, and government; for if they (who in all disasters will be judges in spite of fate) have once lost all sentiments of veneration, and confidence of him, through mis-government, they soon grow to despise and nauseate all his actions, distrust and preindicate his counsels, invoke the ghost of some glorious ancestor, and are easily won by the next comer.

7. The prince assailed doth not only, on a battle or two, venture his country, wherein, if he be beaten, he is certainly conquered, but, if he subdue the aggressors, he has only their carcasses to atone, for the devastation of his country (the certain effect of invasion, and, next to a conquest, the business of an enemy) which hastens barbarity, and a certain carelessness, and opens an easy way to the next comer; as it fared with this island in relation to the Danes, Saxons, and Normans, whose conquests and pressures made way one for another; so true is it, that poverty weakens the hands, and intimidates the hearts of mankind, and also renders countries not worth keeping.

8. It is the fundamental interest of princes to keep the ballance even, which is not to be done without confederacies, and warring upon

the growing and dangerous monarch, it being certain that armies, fleets, and fortresses (though highly valuable in their kind, and without which kingdoms are defective) secure a country not half so safe or cheap, as parity of strength among neighbouring princes.

9. A prince, who with his Sampsons intends only his own defence without regard had of his neighbours peace and safety, may one day fall without the help or pity of his neighbours, as the excellent Sir Philip Sidney observes, 'He that only stands on his own defence stands on no defence.'

For these reasons, a kingdom, abounding with Sampsons, ought therefore to encounter the Philistines, in the Philistines country, to prevent their marching into Canaan; since every prince, by the plain rules of discretion, ought rather to humble the thriving monarch, by making his country the theatre of war, (whereon is acted nothing, but horrors, and fearful representations) than see his own, even with victory, - a field of blood and desolation.

*Lastly*, If, from the doubtful event of war, it be alledged, that peace, even on any terms, ought to be maintained:

I answer, that, from the uncertainty of war, there remains to us as much hopes of success, as fear of miscarriage, but from a supine peace, we have only a certain assurance to be subdued at last, without the least rational hopes to escape. For let France extend her conquests and triumphs, whilst we bask and wantonise in peace, and no imaginable softness and compliance of ours can oblige her, till she has justly branded us with some hateful marks of subjection; this sort of peace being like a mercenary woman, enchanting at first, but ready enough at last to betray us to a thousand mischiefs, when once her vile ends are accomplished. And the better to represent this danger, we must consider what inclinations France has to us, when during the late Dutch inglorious attempt at Chatham (whereunto by our own nakedness and prostitution they were invited, and by what else, I know not) she was upon the point of invading us, with a royal army, though affairs seemed not then ripe for so high an attack; which if she had nevertheless performed, what dreadful effects must have ensued, I leave them to judge, who (with myself) either saw our strange consternation upon the attempt of a weak, yea, and modest enemy, in June, 1667, or ever beheld a powerful army in an enemies country; and although peradventure we might have destroyed them, yet if they had stood, but two months to an end, and harrassed four or five counties, it had been far less charge to the nation (besides our dishonour and hazard of our navy, and naval stores) to have borne the expence of an offensive war, so many years together. Nor must we imagine this haughty design of France (where the easy conquest of England, and her drooping condition, is lately exhibited in print) is otherwise than wisely deferred, till she is become our rival at sea, and Flanders subdued; for both which, she now bids fairly, unless, by some potent confederacy, she be happily prevented. And when, in our weekly audiences, I read of the French growth, and marine preparations especially (which our glorious queen, though friend enough to Henry the Fourth, abhorred to suffer, knowing the consequence to be such, which by experience we



now find) and yet see the world inclined to slumber; I cannot discern whether we are warned to a generous resistance, or to prepare our necks for the yoke. In the mean time the ghost of that renowned woman (who yet loves her country, even in shades of death) reproves us for suffering these French thus to increase at sea; and from her profound experience, recommends to us justice, and thrift in publick treasure (as the main pillar of the government) and war, in the great pretender's country; (as the best expedient to keep peace at home) from which rules the prince that swerves must end ingloriously, and be content to be hard censured by posterity; however, out of fear, he may escape his own generation.

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A LETTER FROM  
HIS HOLINESS THE POPE OF ROME,  
TO HIS  
HIGHNESS THE PRINCE OF ORANGE:

Containing several Proposals, and Overtures of Agreement, betwixt the Church of England, and the Church of Rome. Translated out of Latin, for the Benefit of all true Protestants. [From a Quarto Edition, reprinted at Edinburgh, Anno, 1689.]

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The resentment of the people of this nation, who, a little before, had like to become a prey to popery and arbitrary power, never appeared greater against France and Rome, than at the time, when the Prince of Orange, being settled on the throne of these kingdoms, delivered them from all fear of their tyranny and superstition. Then every true Protestant strove to signify his abhorrence of the dangers, from which both their church and state were so lately and wonderfully extricated: so that the press was never more employed, than now, with learned, ingenious, and satyirical pamphlets, amongst which, the following well deserves to be recorded to posterity. For, though it must be allowed to be no more than a pretended letter from the Pope to King William, yet the matter it contains is real, the subject is serious, and the consequences of the highest importance; and therefore can never be unseasonable, especially at a time, when, in defiance of treaties, religion, and the laws of our land, we are threatened with an invasion from a Popish power; because it briefly sums up both the tyranny and superstition of Popery.

If any thing herein be thought any ways partial; I have this to advance in my own favour, that I only collect what I believe to be genuine; that I have examined the historical facts here mentioned, and find them in good and approved authors; that I will never publish any thing through partiality; that every religion, party, condition, and state of men must expect the invectives of their adversaries, in the course of this collection; and therefore, that the pamphlets or tracts, here published, are by me looked upon, as the best of their kind; and, I hope, will be generously accepted by the reader, only as the collection, and not as the composition of the Editor.

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Great Prince,

**A**LTHOUGH the semicircle of your highness be (at present) elevated above the full orb of my holiness, I conjure you by bell, book, and candle, seriously to consider your proceedings against me, and

my Catholick church ; which (as a lilly among thorns) I lately \* planted in England and Scotland ; and you (to the great grief of all the members of my sacred conclave, and zealous favourites of my spiritual court) have almost rooted up. Call to mind, and tremble at my great power, prudence, and supremacy ; and that I am God upon earth, seventy-seven times greater than the greatest emperor in the world. Remember what I have done to mighty monarchs, kings, and puissant princes, whose glory and high looks I have laid in the dust, till they have willingly submitted their stubborn necks to my iron yoke, and humbly bowed their heads to salute my holy feet. Did not my predecessor Pope Gregory the Seventh (who poisoned nine popes in thirteen years space, to make way for himself to the popedom), for want of due worship and honour, excommunicate and depose the Emperor Henry, both from his crown and empire, discharge all his subjects of their allegiance, and give his crown to Rodolphus Duke of Swevia, till he, with his empress, and young son, cloathed in sack-cloath, came barefoot, in the cold of winter, and begged pardon three days, without access, at his sumptuous gates ? Did not Pope Paschal the Second stir up Henry the Fifth, to rebel against his old father the emperor ? Who by the assistance of his holiness beat him from his empire ; so that he lived and died miserable, and lay five years above ground, without burying, at the pope's command. Did not Pope Alexander the Third put his foot upon the Emperor Frederick's neck, and tread upon him as he had been a dog ? Did not Pope Celestine the Third crown the Emperor Henry the Sixth, and his Empress Constantina, with his feet ; and (throwing off the crowns with his toe) say, ' I have power to make and unmake kings and emperors ? ' Did not Adrian the Fourth fall out with the Emperor Frederick, for holding his wrong stirrup, and would not crown him for three days, till he begged his holiness pardon ? Did not Clement the Fifth cause his hangman to take Francis Dandalus, a Venetian duke, bind him with chains, and throw him under his table, to gnaw bones with his dogs ? Did not Innocent the Fourth call Henry the Third, King of England, his vassal, slave, and page ; whom (at pleasure) he might imprison, and put to open shame ? Did not Pope Benedict the Ninth send to France the two sons of Charlemain, with their mother BIRTHA, the widow queen ? Who humbly brought them to his holiness to be crowned ; where (with the poor King of Lombardy, and his wife and children) they were kept in prison, till the day of their death ; for disobliging their uncle, the Emperor Charles, the pope's special friend, and great favourite. The cries of poor widows and orphans I value no more than the cackling of hens. Blood and wounds are my daily delight. Murthers, battles, treasons, conspiracies, and the turning of kingdoms upside down, are to me but ordinary recreations, and May-games. With my tail or cynosure, I drew the stars of heaven backwards, and threw them to the earth. I bewitch the world with signs and lying wonders, and persuade people out of their senses ; to believe that I can make, worship, and

\* By his nuncio, in King James the Second's reign.

eat, an immortal deity, of ordinary bread? How many princes have I poisoned in my sacrament; which my emissaries have transubstantiated into a devil, rather than a God? How many kingdoms have I ruined? How many common-wealths have I overturned? How many cities have I rased? And how many millions of christians have I sacrificed to my vindictive power and greatness? And dare you cope with me? Remember what I did to John King of England, whom my holy monk Stephen poisoned in Lincolnshire. Come then to me in a humble manner, as to God's deputy, Christ's vicar, and St. Peter's successor, and restore all my church lands, which my ancestors have (for several generations) purloined from kings and princes, for the sanctified use of the holy chair; and swear fealty to me, as to your supreme head, and holy father; and I will be reconciled to you and all Englishmen. Yea (though Peter, King of Arragon, willingly bought his salvation from Pope Innocent the Third, at the rate of his crown and kingdom) I will freely pardon you all your sins, past, present, and to come. And for your unruly rabble (that indigested lump of ignorance and precipitancy) I will have compassion on them, and send them as many old useless merits, and works of supererogation, as would loaden a Spanish armado; which will send them (in a perpendicular line) to heaven, without touching at purgatory. And (to ingratiate myself further in the kingdom of England's favour) I will licentiate your ladies of pleasure in London, and all females in general there, to whore, pick pockets, for a Julio, or six-pence a week; which is no more than my own order of harlots pay at Rome, and all Italy over. And to all men within the walls of London, and Westminster, I will freely give liberty to be as intimate with their neighbours wives, as ever Pope Hildebrand was with Matilda, the Marquis of East's lady: or Pope Alexander the Sixth was with his own daughter Lucretia. And (in one word) I will let the inhabitants of the whole isle of Britain fulfil their heart's desire, in all kind of villainies and abominations, without sinning. For, as Bellarmine tells you, I can make that which is sin, no sin; and that which is no sin, sin. But if you will not submit yourself, nor humble your highness to my holiness; then will I cloath myself with cursing, and take the thunderbolt of excommunication in my mouth; with the sword of supremacy, I will cut asunder the cords of unity, and with the breath of my mouth will I dissipate the peace of all nations. I will incense my rebellious first born, his most christian majesty of France, to invade your territories, burn your cities, put your males to the edge of the sword, and rip up your women with child, without pity or compassion; as he lately served your tribe\* in his own kingdom: and, as I † once served the Waldenses and Albigenses. I will privately contrive your overthrow, by my desperate jesuits, monks, and friars; whom I will, after death, canonise, for murder, mischief, and conspiracy.‡ I will found an order of Irish cut-throats (men mighty for mischief)

\* The Protestants of the principality of Orange.

† The Pope.

‡ Alluding to Father Garnet, and other Jesuits and priests, that have been executed for treason.

who will divide the wind-pipes of all Protestants, and subtract breath from their whole bodies. They shall dig as deep as purgatory, for the contrivance of a new gun-powder treason; and make a covenant with hell, for your destruction. And (if I can bring my projects to a period) I will hold a spiritual court in Smithfield, and decide all controversies with fire and faggot; till I level the nation with the dust, and make the isle of Great-Britain acknowledge me for their superior. Finally, I cannot but resent your deportment towards my niece, your glorious queen, who left England without bidding farewell to her favourites? only taking along with her the Prince of Wales, whom you term her supposed son. But it is an hyperbole, beyond the conception of humanity, that a king, pretending to so much reason, religion, and piety, should praise (or rather mock) God for a child, whilst his queen had only conceived a pillow, and was brought to bed of a cushion, to cheat his subjects of their ancient and royal line, and his own posterity of their crowns and kingdoms. This was the old contrivance of another Mary-Queen; but Philip was more a man than to own the brat of sophistry, and father the impudence of so villainous a fact. But let the production be what it will, real or imaginary, my singing of Te Deum, in St. Mary's Church at Rome, is enough both to naturalise and legitimate it lawful Prince of Wales, and apparent heir to the crowns of three kingdoms. I have sent you this letter by Guido Faux, the younger; whose brains are big of a gun-powder plot; therefore (as you love your life and well-being) honour him, with all and as much respects as it were I myself. Father Peter saluteth you with my whole consistory of cardinals, and clergymen of my sacred conclave. I desire to be remembered to Titus Oats, and Samuel Johnson. If the tide turn, I will talk with them, and reward them, according to their fidelity. Thus, expecting a speedy answer, before I proceed any further in my great designs, I continue

Your hurtful

INNOCENT.\*

*Written from my Court at Rome,  
Prid. Calend. Jan. 1689.*

*The Church of England's Answer to the preceding Letter.*

Grand Impostor,

**W**HETHER you, with your clergy, be possessed with the spirit of error and delusion, and cast in a bed of sensuality, to wallow in your own filthiness, with your eyes darkened, and your ears deafened, we know not; but certainly there must be a great mystery in your obstinacy: for you shut your senses (which are the gates of your understanding) against the clearest evidences of truth, scripture, and reason. Our learned divines have, these several years, confuted your opinions of ridiculous nonsense, by sound arguments, and undeniable demonstrations; till (being wearied with your contradic-

\* The name of the Pope at that time.

tions) grooms, pages, and porters began to discover your nakedness, in your ignorance and superstition; and by writing against you, to convince you of your fooleries, fopperies, and chimerical fancies. Yet, for all this, are you not ashamed of your abominations and filthiness? Thus (since you shut your ears against the word of manifest truth, and the kingdom of heaven, against the whole world, denying the principles of sure and unquestionable faith) we desire none of your converse; for there can be no fellowship betwixt light and darkness, nor between God and Belial; for they, that are willfully filthy, will be filthy still; neither can we send you any answer fitter than that the Grecian Church sent to Pope John the Twenty-third, when he wrote to them to bow and submit to him as to their terrestrial God and infallible supreme: ‘We do assuredly (said they) acknowledge your high power over your subjects, but we cannot abide your high pride, we cannot quench your greedy covetousness: the devil is with you, but God is with us.’ Thus (with the Eastern churches) we must leave you, and let you alone: yet, with the prophet will we wail over you, and cry out, ‘We would have healed Babylon, but she is not healed.’ Remember what the Lord saith, Isaiah l. 11. ‘Behold all ye that kindle a fire, that compass yourselves about with sparks: walk in the light of your fire, and in the sparks that ye have kindled. This shall ye have of mine hand, ye shall lie down in sorrow.’ Thus not fearing your power, curses, nor thunder-bolts of excommunication, nor all the train of your infernal court, whilst God is with us) we continue still stedfast in that faith, whereof Christ Jesus is both the foundation and chief corner stone; who is able to preserve and present us spotless before the throne of his grace, with exceeding great joy. To whom with the Father and Holy Ghost, be ascribed glory, honour, and praise; with dominion, majesty, and power; world without end, Amen.

*London, Jan, 5th, 1689.*

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A BRIEF HISTORY  
OF THE  
SUCCESSION OF THE CROWN OF ENGLAND, &c,  
*COLLECTED OUT OF THE RECORDS,*  
AND THE MOST AUTHENTICK HISTORIANS.  
WRITTEN FOR THE SATISFACTION OF THE NATION.

[From a Folio, containing eighteen pages, printed in the year 1688—9.]

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**M**EN generally, at present, busy themselves in discoursing about the succession, and therefore cannot but be pleased to have a short history of it set before them: for, by seeing how the crown has

descended, and in what manner, and upon what grounds, the natural course of the descent hath been changed, they will be enabled to judge what has been the opinion of all ages, in this so controverted a point, and thereby may safely direct their own.

Nothing certain has come down to us, of the nature of the government of this island, before the Romans came thither; only this we learn from Cæsar \*, and Strabo †, and Tacitus ‡, that the Britons were subject to many Princes and States, not confederate, nor consulting in common, but always suspecting, and frequently warring with one another.

During the Heptarchy, whilst every kingdom was governed by different laws, we cannot think they agreed in one rule of succession. But, if that does not, I am sure, the reading the many changes and confusions of those times must convince any man, that their rule was uncertain, or else that they had no rule at all.

Those seven kingdoms were at last united under Egbert: but yet our historians, who lived nearest those times, expressed themselves so oddly in this matter, and do so constantly mention the election of almost every king, before they tell us of his coronation, that some learned men have doubted, whether, before the conquest, the government of this island was ever grown up into a settled hereditary monarchy. Surely, if it were so, yet all must agree, that then the succession was not guided by the same rules, as some men believe, or pretend, it ought now to be. Egbert himself, the first English monarch, came to the crown, not by succession, but election, being no way related to Brissicus, the last of the West-Saxon kings; and, when he died, he gave the kingdoms of Kent and Essex to his second son. Ethelwolf divided the whole island between his two sons, Ethelbald and Ethelbert. Athelstan (though a bastard) succeeded his father, and was preferred to his legitimate brothers. Edred, the younger brother of king Edmund, was advanced to the throne, though the deceased prince had two sons, Edwin and Edgar, who did both of them reign afterward successively. Edgar left a son at his death; but yet there happened a mighty contest about his successor, some of the great men contending for the election of Ethelred, his brother. But, at last, the interest of Edward, the son, prevailed, and he was, in full assembly, elected, consecrated, and anointed king. That which Ailredus, Abbot of Rievallis, in his life of Edward the Confessor, gives an account of, seems very remarkable to our purpose. King Ethelred (who was no tame and easy prince) desirous to establish his successor in his life time, summoned a great council, expressly for that purpose, and proposes the thing to them. The council were divided, some of them appearing for Edmund, his eldest son, and some for Alfred, his second son, by Queen Emma. But, at last, upon some superstitious fancy, they agreed to pass by both of them, and elected the infant that was in the queen's womb. To which election, the king gave his royal assent, and the whole as-

\* Cæs. de Bell. Gall. lib. 5. † Strab. lib. 4. ‡ Tacitus in Vita Jul. Agricola.

sembly swore fealty to the child, whilst yet unborn. Undoubtedly, this story makes it plain, that it was not enough at that time to intitle one to the crown, that he was the king's eldest son: for then Ethelred would never have suffered a debate about the election of a successor, nor summoned a parliament expressly for that purpose, which you see he thought necessary to be done. And, notwithstanding all his care, it seems, upon the death of Ethelred, Canutus had so great an interest, that by an unanimous consent, in a full council, he was elected king, and all the issue of the last prince rejected. It is true, the Londoners stood firm to Edmund Ironside (the approbation of that renowned city had then no little influence on the succession) and there were divers battles fought between them: but, at last, they came to an agreement, and Edmund dying, the Danes ruled the whole island peaceably whilst he lived.

Immediately, upon the death of Canutus, there was assembled, at Oxford, a great council, to determine who ought to succeed; where, notwithstanding all the interest which Godwin, Earl of Kent, and the West-Saxon great men, could make on the behalf of Hardicanute, the legitimate son of the dead king, they were over voted, and Harold Harefoot (his bastard, begotten on Ailena, or Elgiva) was elected. Harold died in the fifth year of his reign, and then the people were content to accept of Hardicanute for their king, and, to that end, sent for him out of Flanders; but he dying issueless, it was ordained in a general council, that never any Dane should, for the future, be admitted to reign in England. After which, they proceeded to elect Alfred, the son of Ethelred and, he being murdered by the treachery of Earl Godwin, they chose his brother Edward, commonly called Edward the Confessor. Nor were these elections of theirs made with any respect to nearness of blood, more than those whereof we have heard before; for Edmund Ironside, their elder brother, had a son then alive, whose name was Edward, and who was father to Edgar Atheling, living also at the same time. And though this Edward had an undoubted title to the crown, if proximity of blood could have given it, yet the Confessor was so far from suspecting any danger from such a title, as that he invited his nephew into England, and welcomed him, when he came, with the greatest expressions of joy, and entertained him with the greatest confidence. Nor had the people any regard to this royal blood upon the death of the Confessor, but elected Harold, the son of Earl Godwin, who had no pretence of kindred to the Saxon line.

These few, among many other instances which may be given, will shew plainly enough, how men entitled themselves to the crown in those days, and that then it was no strange thing to hear of a parliament's meddling with the succession. Therefore, I suppose, the men, who seem astonished at the boldness of a parliament, in presuming to speak of it at this time\*, will say, that they ought not to be troubled with precedents before the Norman Conquest; and that though the Saxons might be guilty of preferring a brave and deserving bastard,

\* Of the revolution.

before a cruel, or a silly, legitimate prince, and of many other irregularities; yet no such things are to be found in our histories, since the time of William the First, whose reign is the great epoch, from whence we do compute our kings. Let us, therefore, go on more particularly to observe, what has been done since that time, and we shall see, whether they, who wonder so much, have any reason to do so.

William the Conqueror was himself illegitimate, and yet succeeded his father in the duchy of Normandy, and therefore had no reason to set any great value upon that sort of title, which is derived from a right of blood. And it seems he did not much regard it; for, passing by Robert his eldest son, he gave the crown, by his last will, to William Rufus, his younger son, disposing, only with regard to his own inclinations, the crown which himself had gained.

But his son was too wise to rely upon this disposition, as a sufficient title; and therefore had recourse to a more sure one: for, calling the nobles and wise men of the kingdom, he acquainted them, in full council, with his father's will, and desired their consent to it; who, after a long consultation, did at last unanimously agree to make him their king, and thereupon he was crowned by Lanfranck, Arch-bishop of Canterbury. I cannot but observe one thing farther, that though some men make use of the absolute victory, which the Conqueror had made, and affirm, that thereby the English were wholly broken, and all the old laws and customs of the realm were destroyed; yet it is plain that, at this time, the English interest was so great, that it kept the crown upon William Rufus's head, in spite of all that the Normans could do in behalf of Robert, though they universally joined with him. For, the king calling together the English, and opening to them the treason of the Normans, and promising them a compleat restitution of their ancient laws, they stood firm to him, and soon put an end to all the attempts of his brother, and his Norman accomplices.

Upon the death of William Rufus, Robert had a fair pretence to renew his claim to the crown; but that prince had discovered too much of the cruelty of his disposition, of his aversion to the English nation, and of his proneness to revenge; so that, by the full consent and counsel of the whole body of the realm, assembled at Winchester, he was finally rejected, and they did concur to elect the Conqueror's third son Henry for their king (as Mat. of Westminster expresses it.) Nor did they do this but upon terms; for both the clergy and laity said, that, if he would restore them their ancient liberties, and confirm them by his charter, and abrogate some severe laws which his father had made, they would consent to make him king. And this prudent and learned king was not ashamed or unwilling to own this title; for he does at large recite it in his charter, whereby he confirms their liberties, *Sciatis me misericordia Dei, & communi concilio baronum Regni Angliæ, ejusdem regni regem coronatum esse, &c. i. e.* Know ye that I am crowned King of England



by God's mercy, and the general council of the barons of the said kingdom.

Henry the First, you see, had reason to believe and own the power of the kingdom, in setting the crown upon what head they pleased; and therefore he desired to secure it that way to his posterity. To that end, in the thirteenth year of his reign, he summoned a council, and procured all the great and powerful men of the kingdom to swear, that his son William should succeed him; but afterwards this son of his was unfortunately drowned, and the king died, leaving no other issue but Maud his daughter, who had been married to the Emperor, and afterward to Geoffrey Plantagenet, Earl of Anjou. No dispute can be made, but that she had all the right which proximity of blood could give; yet Stephen, Earl of Boloign, who was the son of Adela, one of the Conqueror's daughters, and whose elder brother Theobald, Earl of Blois, was then living, stepped in before her; and, by representing to them the inconvenience of a feminine government, and promising them to consent to such good and gentle laws, as they should devise, prevailed with the estates of the realm to elect him king. And in this charter, which he made soon after, he owns this title, beginning it thus, *Ego Stephanus Dei gratia, assensu cleri & populi in regem Angliæ electus*, &c. \* And the pope, in his charter of confirmation, sent to him in the first year of his reign, tells him, that he was, *communi voto & unanimi assensu tam procerum quam etiam populi, in regem electus* †, and then he adds, That, since so universal an assent could not be directed but by the divine grace, he therefore allows his title, and confirms him in the kingdom.

It is true, that afterwards Maud the empress, together with her son Henry, having, after some years, gained many to their side, gave him great disturbance; till at last Stephen, having lost his eldest son Eustace (in whom he placed his hopes, and used all means, whilst he lived, to have got him declared his successor, but without success), came to an agreement with the empress and her son; and the parliament (who alone could give a sanction to such agreement) was assembled at Winchester to confirm it; and then Stephen publicly adopts Henry for his son, and with their full consent declares him his heir; and, with the same consent, Henry gives Stephen the name of father, and agrees that he should continue to be king, during his life, and they all swore, that, if Henry survived, he should, without opposition, obtain the crown; and Stephen, by his charter, which is set down at large in Brompton, publishes this agreement, Brompt. 1037.

In all this transaction, certainly there was no consideration had of any other right, but that which universal consent conferred; for, if Stephen's heir had any pretence, he had a son then living, whose name was William, and who, by the same agreement, was to have

\* I Stephen, by the grace of God, the consent of the clergy and people, chosen King of England, &c.

† Chosen king by the common voice and unanimous consent both of the nobles and people.

all the possessions, which his father enjoyed before he was made king. If the heir of Henry the First had any title, that was vested in Maud the empress, who was then also living ; so that neither of the parties had any other colour of right to the crown, than what the consent of the people gave them.

According to this parliamentary agreement and limitation, Stephen enjoyed the crown peaceably during his life, and, after his death, Henry the Second came to it as peaceably ; but he remembered by what title, and therefore was desirous to secure it to his son in the same manner, though he took a very dangerous and unusual way to do it. For, summoning a parliament to meet at London, he procures his son Henry to be declared king, together with himself, by their consent ; and thereupon he was crowned by the Archbishop of York, and fealty sworn to him by all. This was the occasion of civil wars between them, for the father meant hereby only to have secured the succession to him, and the son was impatient of having only the bare title of a king, all along pretending to an equal authority ; as doth sufficiently appear by what he writes to the prior and convent of Canterbury, where he takes notice, that his father did attempt some invasions upon them, which he ought not to have done without his consent : *Qui, ratione regia unctionis, regnum, & totius regni curam suscepimus*\* ; and therefore he appealed to the people in that behalf. Nay, the father himself paid the respect to his son's dignity, that, when he at last subdued him and his rebellious brothers, he would not suffer him to do him homage with his other sons (though he offered it.) But, Henry the son dying in the life-time of his father, Richard was then his eldest son surviving, and consequently had all the right which a next heir could claim. But the wise and wary king had not confidence enough to rely upon this (now so much talked of) sacred right ; but, though he had already suffered so much from disobedient sons, was glad to get the succession confirmed to him in his life-time. And, the truth is, there was reason enough that he should do so ; for he had all his children by Eleanor, the daughter of William, Duke of Guienne, who was before the wife of Lewis the Seventh, King of France, who was still living, and she only divorced *causa adulterii*, which being not a divorce *à vinculo matrimonii*, she could not, either by the canon law universally received, or the laws of England, lawfully marry with any other husband.

After his father's death, Richard came to London, to which place all the clergy and laity were summoned ; and, after he had been solemnly and duly elected by the whole clergy and laity (they are the very words of the historian) and taken the usual oaths, he was crowned. And, when he undertook the holy war, he declared Arthur, son of his next brother Geoffrey, the Duke of Bretagne, next heir to the crown.

Richard dying without issue, this Arthur ought to have succeeded,

\* Who have received the kingdom, and the care of the whole kingdom, by reason of the royal anction.

and his sister Eleanor also had a title before her uncle; but John the younger brother, without regarding this divine right of his nephew, applies himself to the people for a more sure, though but a human title, who, being summoned together, elected him king. And Hubert, the then Archbishop of Canterbury, did at his coronation preach a doctrine, which would have sounded very strangely to the convocation in 1640, (viz.) No one could make any title to the crown, *nisi ab universitate regni unanimiter electus*.<sup>\*</sup> And that he, who was most worthy, ought to be preferred. But (as he goes on) if any one of the race of the deceased king was more deserving than others, as John the brother of the deceased king was, the people ought the more readily to elect him than a stranger to the royal blood. This was all the title King John pretended, and this was then sufficient to put by his nephew. And, in his charters, he does more than once own, that he owed his crown to the election and favour of his subjects.

But when King John gave over to dissemble his nature, and went about to change his religion (for he made offers of that sort to the King of Morocco); when he had discovered himself not to be that worthy man which the people supposed him to have been; they remembered from whence he derived his title, and proceeded, upon the same reason that they had chosen him, to make a new election, choosing Lewis, son of Philip, King of France, who was next heir to the crown, in the right of Blanch his wife, niece to King John, and daughter to his sister Eleanor, both the children of Geoffrey Duke of Bretagne, being dead before that time.

When King Philip heard of their choice, he consented to send his son, being the rather induced thereto by this reason: That, John's blood being corrupted by an attainder of treason in the life-time of his brother Richard, he was incapable of taking the crown by descent, and unworthy of taking it any other way.

Lewis, coming to London, was there elected and constituted king, swearing to preserve the people's laws, and they swearing allegiance to him. But he soon forgot his coronation-oath, and attempted several ways to introduce an arbitrary government, before he was well established in his throne; which the English as soon resented: And, King John happening to die very opportunely, the Earl Marshal calling together the great men of the kingdom, and placing Henry the Third, then an infant, in the midst of them, persuaded them to make him king, who was altogether innocent of his father's faults. The Earl of Gloucester said this was contrary to their oath to Lewis: To which the marshal replied, 'That Lewis, by breaking his oath, had absolved them from theirs;' and that he despised the English, to set up the French; and that he would be the destruction of the realm. With those reasons the whole assembly, being convinced, cried out unanimously, *Fiat rex*†; and, accordingly, they crowned King Henry the Third, and soon after compelled Lewis to renounce all pretences to the crown.

<sup>\*</sup> Unless he be chosen unanimously by the representatives of the whole nation.

† Let him be made king.

Henry the Third dying, after a long and troublesome reign, his son Edward the First, a prince of great hopes, and whose life answered the highest expectations, succeeded;\* but, whether he was the eldest son of his father, remains a doubt in history: The house of Lancaster, who derived themselves from his brother Edmund, pretending always that Edmund was the elder, and Edward the younger brother, and that Edmund was put by the crown by common consent, for his deformity.

After the death of Edward the First, his son Edward the Second succeeded;† but, he degenerating from so great a father, the people grew weary of his irregular and arbitrary government. And a parliament being by him summoned at Westminster, as all our writers say, or as Polydore Virgil ‡ words it, *principes convocato concilio pervenerunt Londini* (which I observe, only that we may know what Polydore means when he makes use of the expression of *principes in concilio congregati*;) they presently entered into a consideration of the miserable state of the nation; and a paper being publickly read, containing many instances of the king's misgovernment, all which he had confessed; they concluded he was unworthy to reign any longer, and that he ought to be deposed; and sent to him to let him know their resolution, and to require him to renounce his crown and royal dignity, otherwise they would proceed as they thought good. And they appointed commissioners to go to him in their names. The Bishop of Ely for the bishops, the Earl of Warren for the earls, Sir Henry Piercy for the barons, and Sir William Frussel for the commons, to resign their homage up to him; which Frussel pronounced in all their names, and formally deprived him of all royal power; the form of which is particularly set down by Knyghton.§ The king read this sad sentence with extraordinary grief, and many complaints of those evil counsellors, who had seduced him; but, in the midst of his sorrow, he gave them thanks that they elected his son to reign after him. Thus was that glorious Prince Edward the Third elected king in his father's life-time: *Ex hac electioni universus populus consensit.*|| Walter, Archbishop of Canterbury, who preached the coronation-sermon, took this for his text, *Vox populi vox dei*. By this we may see, that all his predecessors were not of Archbishop Laud's mind, but thought there was a divine right somewhere else than where he placed it. Upon the death of Edward the Black Prince, there was some dispute whether John of Gaunt, the eldest surviving son of Edward the Third, should succeed *jure propinquitatis*, or Richard the son of the Black Prince;¶ whereupon Edward the Third procured the parliament to confirm the succession to Richard the Second. And afterwards, when Edward the Third died, Polydore Virgil says,\*\* *Principes regni habito concilio apud Westm.* (you know what Polydore

\* Hen. de Knyght. f. 9472, c. 16. l. 2.

† Tho. Walsing. in Vit. Ed. 2. f. 126.

‡ Pol. Virg. l. 15. f. 329.

§ Froissart 1. vol. c. 14. Fructus Temporum, Par. 7. f. 107.

Hen. de Knyght. l. 3. c. 15. f. 9549.

|| And all the people consented to this election.

¶ Jure hereditario ac etiam voto communi singulorum, H. Knyght. l. 3. f. 9550. Rot. Parl. 1 H. 4.

\*\* Pol. Virg. l. 3.

means by *principes*) *Richardum, Edwardi principis filium, regem dicunt*, by their common suffrages.

In the twenty-first year of Richard's reign, a parliament being assembled at Westminster, they drew up, by their common consent, a form, whereby he did resign the crown, and the name and power of king, discharging all his subjects from all oaths, which they had taken, of allegiance to him, confessing himself thereby insufficient for the government, and swearing never to make any pretences to the same for the future. All which he pronounced and subscribed, wishing (if it were in his power) to have Henry Duke of Lancaster for his successor; but since it was not, he desired the commissioners to signify his desires to the states of the realm. The next day all the states of the realm accepted his resignation, and, when that was done, they proceeded to read publicly his coronation-oath, and all the breaches of it, that so it might appear how justly he had deserved to be deposed. All which are contained in thirty-three articles, entered at large in the rolls of parliament (and well deserve to be read) whereupon the states adjudged, that he shall be deposed, and appoint commissioners, *ad deponendum eundem Richardum Regem ab omni dignitate, majestate, & honore regis, vice, nomine, & autoritate omnium statuum prædictorum, prout in consimilibus casibus de antiqua consuetudine dicti regni fuit observatum*;\* which the Bishop of St. Asaph did, in full parliament, in their names, and by their directions. The same commissioners were also to resign up to him their homage and fealty, and intimate the sentence of deposition; which they did accordingly, by the mouth of Sir William Thirning, whose words are at large entered upon record. Then did the parliament proceed to choose Henry the Fourth king; and upon this title only did he rely, though he mentioned some other trifling ones, as that he challenged it, being then void, by force, as descended to him from King Henry the Third.

But this could give him no title, for it is plain that, whilst any of the issue of Lionel Duke of Clarence, the third son of Henry the Third, were in being, no right of blood could descend to him, who derived his pedigree only from John of Gaunt, who was but his fourth son. And he plainly shewed what a good opinion he had of a parliamentary title to the crown, when, in the seventh year of his reign, he procured an act of parliament to pass,† whereby the inheritance of the crown and realms of England and France were settled upon himself, for life, and the remainder, entailed upon his four sons by name, and the issue of their bodies begotten. He was contented that it should be limited no farther, but that, after failure of his own issue, it should go according to the general direction of the law. And he made a charter soon after, whereby he settled the crown pursuant to this act of parliament: *Post ipsum successivè*

\* To depose the said King Richard from all royal dignity, majesty, and honour by the depuration, in the name, and by the authority of all the aforesaid states, as it has been observed in the like cases according to the ancient custom of the said kingdom of England.

† 7 H. 4. cap. 2.

*heredibus suis de ipsius corpore legitime procreandis*\*; which charter was again confirmed in parliament, the twenty-second of December, 8 H. 4, and the original charter is still to be seen in the Cotton library.

Immediately upon the death of Henry the Fourth, a parliament met at Westminster, and there, according to the custom of the realm, it was debated, who should be king: But all men had entertained so good thoughts of Prince Henry, that, without staying till the whole assembly had declared him king, divers of them began to swear allegiance to him †. A thing strange, and without precedent, as only occasioned by the extraordinary opinion, which was generally conceived of him before.

And the certain title vested in him by an act of parliament.

Henry the Fifth dying, and leaving but one son, who was an infant of eight months old, Titus Livius ‡ says there was some doubt, whether he should be accepted as king; but as soon as his father's funerals were solemnised, the estates of the realm of England, assembling and consulting together, they declared Henry the Sixth to be their sovereign.

In the thirty-fifth year of Henry the Sixth, a new limitation of the crown was made by parliament; for, though the king had a son then living, yet it was enacted, that, during his own life only, Henry the Sixth should hold and enjoy the crown; and that, during his life, Richard Duke of York should be reputed and stiled heir apparent to the crown, and that it should be treason to compass his death; and after the death, resignation, &c. of Henry, the crown was limited in remainder to Richard and his heirs, with a proviso, that if Henry, or any in his behalf, should endeavour to disannul or frustrate this act, that then Richard should have the present possession of the crown §. And by force of this act of parliament, the same Duke of York, taking advantage of Henry's violation of it, did lay claim to, and attempt the recovery of the kingdom, as also did his son Edward after him, with better success; and Edward did openly insist upon this title in the speech, which he made at his coronation §.

It was also declared by Edward's first parliament, in the first year of his reign, that Henry the Sixth, having broken the aforesaid concord in many particulars, the crown was duely devolved to Edward the Fourth, by virtue thereof.

Afterwards Edward the Fourth, being driven out of the kingdom, in the tenth year of his reign, the parliament did again entail the crown on Henry the Sixth, and the heirs male of his body, with the remainder to George Duke of Clarence, brother to Edward the

\* Buck's Hist. R. 3. L. 2. F. 30.

† Princeps Henricus, facto patris sui funere, concilium principum apud Westmonasterium convocandum curat, in quo de rege creando, more majorum, agitabatur. Continuo aliquot principes ultro in ejus verba jurare coeperunt, quod benevolentiam officium nulli, priusquam rex renunciatus esset, prestitum constaret. Adeo Henricus ab ineunte ætate spem omnibus optime indolis fecit. Pol. Virg. l. 2. Hist. Angl. in Vit. H. 5.

‡ Titus Liv. MS. in Bibl. Bod. Cott. Record. F. 656.

§ Hubington's Hist. Ed. 4. F. 10. Cott. Rec. 670. Fructus Temp. Part 7. F. 162.

§ Hubingt. Ed. 4. F. 73.

Fourth, who was thereby also declared heir to Richard Duke of York.

It is worthy observation, that both the families of York and Lancaster claimed a title by act of parliament, and as long as that title continued, the issue of Henry the Fourth had never any disturbance from the pretences of the house of York, who had undoubtedly the right of blood on their side. But as soon as Richard Duke of York had a title vested in him, by the statute made in the thirty-ninth year of Henry the Sixth, then he thought it was worth contending for; nor did he and his son desist, till they had driven out Henry the Sixth\*.

Edward the Fourth did recover the kingdom again as suddenly as he lost it, and prevailed with his parliament to repeal that law which was made during his expulsion, and so left the crown to that unfortunate young prince, Edward the Fifth, who held it long enough to have it put on him, with the usual solemnity; for though he was proclaimed, he was never crowned king: For his uncle, Richard Duke of Gloucester, having secured him and his brother in the Tower, did cunningly insinuate the bastardy of his nephew, and that Edward the Fourth had another wife living at the time of his marriage to their mother, and also at the time of their birth.

The report found credit universally, inasmuch that the Duke of Buckingham, coming to him at Baynard's Castle, with most of the great lords and wise men of the kingdom, and the mayor and aldermen of London, the Duke did, in their names, acquaint him, that they had unanimously thought fit to elect him king, as being heir to the royal blood of Richard Duke of York, upon whom the crown was entailed by the high authority of parliament.

It is very remarkable, that, in the midst of their highest flatteries, and courtship to him, they tell him only of this great and sure title by act of parliament; although, if he had been indeed (what was pretended) the heir of the house of York, his right, by descent, from Edward the Third, was unquestionable.

Richard, after some feigned excuses, did at last accept of their offer and election †; and the parliament being soon after assembled, they presented a bill to this effect: 'Please it your grace to understand the consideration, election, and petition under-written, of the lords spiritual and temporal, and of the commons, &c.' And thereby they declare the children of Edward the Fourth illegitimate, and that his brother George, Duke of Clarence, was attainted of high-treason by parliament, in the seventeenth year of Edward the Fourth's reign, 'by reason whereof, all the issue of the said George were, and are, disabled and barred of all right and claim, that in any case they might have or challenge by inheritance to the crown and dignity royal of this realm, by the ancient laws and customs of the same' ‡. After which, considering that none of the uncorrupted lineal blood of Richard Duke of York could be found, but in his person (they say) we have chosen, and do choose, you our king and

\* Buck's Hist. Rich. 3. Lib. 1. F. 20.

‡ Buck's Rich. 3. Lib. 1. F. 22.

† Cott. Rec. F. 709.

sovereign lord. Then the bill proceeds, in reciting, that all the learned in the laws do approve his title, and declaring him king as well by right of consanguinity and inheritance, as by lawful election, and entails the crown on him and the heirs of his body; and declares his son heir apparent. To which the king gave his royal assent in these words: *Et idem dominus rex, de assensu dictorum trium statum regni, & autoritate prædicta, omnia & singula præmissa, in billa prædicta contenta concedit, & ea pro vero & indubio pronunciat, decernit, & declarat*\*.

But the barbarous murder of his nephews did soon beget such an universal detestation of Richard, in the minds of the people, that they resolved he should no longer reign over them; and so, taking hold of a pretence, which Henry Duke of Richmond set up, they joined with him against Richard. Though Henry's title was indeed no more than a meer pretence; for not only the right of the house of York (as far as blood could give right) was before that of the house of Lancaster, but also he had no manner of interest in that title, which the Lancastrian line had, since his claim was under a bastard begotten in adultery; and besides, his mother, Margaret Countess of Richmond, as heir, to whom he pretended he claimed, was then living. Therefore Comines, the most judicious writer of that age, and who knew well what was the sense of Europe, concerning his title, says plainly (though he wrote in the time of Henry the Seventh) *Qu'il n'avoit croix, ne pite, ne nul droit (comme jeo croy) a la couronne d'Angleterre*.

Nevertheless, Henry having slain Richard in Bosworth-field, the crown was there put on his head by the Lord Stanley, with the general acclamations of the people. But he was wise enough to think his title to it was not very good, till it was made so, by an act of parliament, and therefore, in the first year of his reign, he procured one to pass in these words;

'For the Wealth, Prosperity, and Surety of this Realm of England,  
'and for avoiding of all Ambiguities and Questions (the wisest of  
'our princes, you see, had no little opinion of the authority of a  
'parliament in this point) be it ordained, &c. That the inheritance of  
'the crown of the realms of England and France, with all the pre-  
'eminences and dignities royal to the same appertaining, and the  
'ligeances to the king belonging, beyond the seas, &c. shall be, rest,  
'remain, and abide in the most royal person of our Sovereign Lord,  
'Henry the Seventh, and in the heirs of his body lawfully coming  
'perpetually, with the grace of God, and so to endure, and no  
'other †.

Thus did the wisest of our kings establish himself, and the best of our historians ‡ mentions it as one of the greatest instances of his wisdom, that he did not press to have this as a declaration or recognition of ancient right, but only as an establishment of the possession,

\* And the same lord, the king, by, and with the consent of the said three estates of the Kingdom, and by the authority aforesaid, doth grant all and singular the premises, contained in the aforesaid bill, and pronounceth, decreeth, and declareth the same for true and undoubted.

† Bucks Rich. 3. Lib. 5. F. 149.

‡ Lord Bacon H. 7. F. 11, 12.



which he then had; nor to have the remainder limited to any person after the determination of his estate, but was content with the settlement upon himself, and the issue of his own body, leaving it to the law, to decide what was to follow upon the failure of such heirs.

Nor can any thing be more clear, than that Henry the Seventh depended intirely on this parliamentary title, without extending any pretences of his wife's (who was heir of the house of York) beyond this establishment, inasmuch as the oaths of allegiance, and other publick tests and securities, which were required at that time of the subjects, were not in general terms, to the king, his heirs, and successors, but only to the king, and the heirs male of his body lawfully begotten. An instance of this (without going any further) may be seen amongst the records, printed at the end of the late History of the Reformation \*, where Cardinal Adrian, when he was promoted by Henry the Seventh to the bishoprick of Bath and Wells, renounces all clauses in the pope's bulls, which may be prejudicial *domino meo supremo, & hæredibus suis corpore suo legitime procreatis, Angliæ regibus*; and he does afterwards swear allegiance to him, in the very same words, without taking any notice of remoter heirs.

Henry the Eighth, the heir to this entail, succeeded his father; and though he attempted as much for arbitrary power, and used parliaments with as little respect as any of his predecessors; yet even he never doubted of their power in settling the succession, but valued it much and resorted to it frequently.

In the twenty-fifth year of his reign an act † passed, wherein the parliament say, they were bounden to provide for the perfect surety of the succession (they did not certainly reckon themselves bound to do a thing that was not in their power.) And then they take notice of the great mischiefs and effusions of blood which had happened by reason of the doubtfulness of the true title; and for the avoiding of all future questions, do enact, 'that the imperial crown of this realm shall be to King Henry the Eighth, and the heirs of his body lawfully begotten on Queen Anne, and the heirs of the bodies of such several sons respectively, according to the course of inheritance; and for default of such issue, then to the sons of his body in like manner; and upon failure of such issue, then to the Lady Elisabeth, and after her to any other issue in tail, and then the remainder is limited to the right heirs of Henry the Eighth.' By the same statute every subject at his full age is obliged to take an oath to defend the contents of it, and the refusal is made misprision of treason. And the next parliament ‡, which was held in the year following, does particularly enact an oath for that purpose.

Some few years after, these acts were repealed, and the parliament § entailed the crown upon the king, and the heirs of his body by Queen Jane; and power is given the king, for want of issue of his body, to dispose of the succession by his letters patents, or his last will.

\* Burnet's Hist. of the Reformation, Collect. ad Lib. 2. F. 3. 4.

† St. 25 H. 8. cap. 22.

‡ 26 H. 8. cap. 2.

§ 28 H. 8. Rest. Crown 4.

It is also made treason, if any usurp upon those, to whom it is so appointed. Here the parliament do not only use their power of changing the succession, but they delegate it to another.

And, in the thirty-fifth year of this king's reign, the parliament\*, by another act, take notice of the great and high trust which the subjects had in him, in putting into his hands wholly the order and declaration of the succession; yet the king being then ready to go into France, they do enact, that after his death and the death of Prince Edward, without issue, the crown should be to the Lady Mary, and the heirs of her body; but both subject to such conditions as the king should limit by his letters patents, or by his last will, signed with his hand: And if the Lady Mary performed not those conditions, that then the crown should go to the Lady Elisabeth, as if the Lady Mary had been dead without issue; and if the Lady Elisabeth neglected to perform such conditions, then it should go to such other person as the king should appoint, in the same manner as before, as if the Lady Elisabeth had been dead without issue†. And authority is given to him, by his letters patents, or his last will signed with his own hand, to appoint the crown to remain to such person or persons and for such estate, and under such conditions as he should please.

An oath also for observing this statute is appointed, and it is made treason to refuse it, or to disturb or interrupt any person, to whom it is limited by this act, or should be by the king, pursuant to the power given him thereby.

This is abundantly sufficient to prove, that it was the universal opinion of that age, that the succession was wholly under the controul of parliament, who not only limited it as they pleased themselves, but subjected it to conditions, and to the appointment of others. But the thing was in its own nature so evident, that they who had the greatest reason, and were most concerned to do it, did never presume to question the power of a parliament in this point.

Lethington, secretary of Scotland, in a letter, of his, written to Sir William Cecil‡, then secretary of state here, wherein he argues in behalf of the title of his mistress, Mary Queen of Scots, to succeed Queen Elisabeth, against a pretended disposition made by the last will of Henry the Eighth, to his niece the Lady Frances, daughter to the French Queen, if his own issue failed, says of these statutes that gave the king power to dispose of the crown, that they were against equity to disinherit a race of foreign princes, and that they were made in an abrupt time (as he terms it), but yet he confesses, that since the thing was done, it was now valid and unavoidable, unless some circumstances did annihilate the limitation and disposition made by King Henry's will.

And so he proceeds to prove that the power, which was given to the king by these statutes, was not pursued (which it ought to have been most strictly, and in a precise form) for that the king never signed the will, but that his name, set to it, was forged: nay, I will

\* 35 H. 8. cap. 1.

† 318.

‡ See the instrument of Queen Jane's proclamation, &c. in vol. K.

§ Burn. Hist. Reform. Collect. 908.

venture to say that in all the books, which were written to support the claim of the Scottish Queen against King Henry's will (though the whole power and wealth of the Guises were employed to set every wit at work on that design \*) there was never any stress laid upon it, or so much as a pretence that these acts of parliament were void or ineffectual in themselves. In that discourse which was published by Philips, and composed by Sir Anthony Brown, one of the justices of the common pleas, who was (in Judge Dodderidge's opinion) a person of an incomparable sharpness of wit, there was all the help that learning either in divinity, civil or common laws, could give; yet there the authority of the parliament in the case, and the validity of these statutes, is all along admitted. Indeed, they endeavour to put some other construction upon the statutes: but their great argument is, that King Henry, as king, had no power to dispose of the crown, and therefore these laws only gave him an authority, and made him only as it were a commissioner, and therefore, as all other authorities (especially being in derogation of the course of the common line) was to be strictly followed. They allow that he had sufficient power to devise, and that he might honourably have used that power; but that he ever did exercise that authority, is the thing denied. But it is time for us to go on.

Edward the Sixth succeeded his father and took upon him a power, which surely no king ever had, to dispose of his crown, by will. But that disposition serving to no other purpose but and after, to the ruin of Lady Jane Grey †, his sister Queen Mary first, Queen Elisabeth, enjoyed the crown according to the limitation of the statute, 35 H. VIII. c. 1. and, that one of them had no other title, must be agreed by all: For Queen Catharine was alive, at the time when Elisabeth was born; so that, if the first marriage was unlawful, Queen Mary; and if the second was unlawful, Queen Elisabeth must necessarily have been illegitimate.

I cannot but observe one passage to our present purpose, which I meet with in the time of Queen Mary. Sir Edward Montague, first Lord Chief Justice of the Common Pleas, and afterwards of the King's Bench (one who had the reputation of the ablest and wisest lawyer of his age ‡) being accused to have drawn the will of Edward the Sixth, whereby that queen was to have been disinherited, and being in great danger upon that account, drew up a state of his own case, and therein sets forth, that the great reason which prevailed with him to obey the king in that particular, and upon which he did still rely for his indemnity, was, that if Queen Mary came to the crown, she took it by force of the act of parliament, which did limit it to her in remainder; so that she came in as a purchaser, and not in privity of estate to her brother, and consequently could not punish treasons or offences committed in his time ||.

I must needs also observe, that in the articles made upon the marriage of Queen Mary with Philip of Spain, which were confirmed

\* See a treatise of the title of Queen Mary to the succession, pages 38, 39, &c. Lib. q. Dodd. Engl. Lawyer, page 8.

† See the introduction to her proclamation, in vol. 1. page 314.

‡ More's reports, 97, and 928. § Fuller's Ch. History, Lib. 8. Fol. 4.

by act of parliament, the several crowns and territories of Philip are distributed, part to Charles the Infant of Spain, part to the issue of the intended marriage \*. Whereby it does appear not only what opinion all Europe had of the power of an English parliament, but also that by the consent of the estates of other realms, crowns might be limited and disposed out of the ordinary course of descent.

In the first year of Queen Elisabeth, the parliament recognise her title to the crown†, with express relation to the statute 35 H. VIII. which invests it in her and the heirs of her body, and do enact that the limitation, made by that statute, shall stand and remain as a law for ever, and all sentences, judgments, and decrees to the contrary, are declared to be void, and appointed to be cancelled. And the several offences, which are made treason by another statute in the same year, are all restrained to the queen and the heirs of her body only: The parliament intending to extend that new security no farther than her estate in the crown (which she took by that parliamentary limitation) did extend.

In her thirteenth year it was enacted ‡, that if any person claim title to the crown for himself or any other, during her life, or shall not upon demand acknowledge her right, 'he shall be disabled, during his life, to have the crown in succession as if he was naturally dead.' And to affirm right of succession in such claimer or usurper, (after proclamation made of such claim or usurpation) is made treason. Nor does the statute stop there, but makes it treason, during the life of the queen, and forfeiture of all goods and chattels after her decease, to affirm that the queen, with and by the authority of parliament, is not able to make laws and statutes of sufficient force and validity to limit and bind the crown of this realm, and the descent, limitation, inheritance, and government thereof; or that this or any other statute made by parliament, with the queen's assent, is not or ought not to be for ever of sufficient force to bind and govern all persons, their rights and titles, that may claim any interest or possibility in or to the crown in possession, remainder, inheritance, succession, or otherwise. It were well if some rash men, who presume in their discourses to restrain the power of the parliament (that is, the king, lords, and commons) in the great business of the succession, would be so wise as to remember this act (which is still in force) and the penalty to which they subject themselves by such sawcy talk. That incomparable statesman the Lord Burleigh had another kind of opinion of the security which an act of parliament could give his royal mistress, by making the Scottish Queen (the Popish successor of that time) unable and unworthy of the succession; as appears in a letter which he wrote about this time, to Sir Francis Walsingham, then ambassador in France ||.

In the twenty-seventh year of Queen Elisabeth, it was enacted §, that if any invasion was made, or rebellion, or other thing tending to the hurt of her person, by, or for, or with the privity of any one who

\* 1. Mar. Parl. 2. cap. 2.  
| Complient Ambassad. fol. 220.

† 1 Ellis. c. 3. and §; § 13 Ellis. c. 1. Rest. Treason. 27.  
‡ 27 Ellis. c. 1.

should or might pretend title to the crown, and the same should be adjudged in such manner as that law appoints, then every person, against whom such judgment should be given, should be excluded and disabled for ever to have or claim the crown; and that the subjects of this realm lawfully might, by all forcible and possible means, pursue all such offenders: and their issues, assenting or privy thereto, are in like manner disabled, and to be pursued. And this act was made in pursuance of an association entered into by the people, in the vacancy of parliament, out of their great zeal for the preservation of the life of that excellent princess.

By virtue of this statute, Mary, Queen of Scotland, was afterwards executed, as appears by the commission for her trial \*.

King James, her son, who was a wiser prince, and not wholly governed by priests, as his mother was, though he had the same pretences that she had, yet never disputed his right, or set on foot any title, during the life of the ever renowned queen; though she would never suffer him to be declared her successor. He was too wise to incur the like disability as his mother had done, and to contest a title established by parliament.

After Queen Elisabeth's death, the act of recognition, made upon King James's coming to the crown, doth particularly insist upon that title, which was raised by act of parliament to Henry the Seventh, and the heirs of his body, and that immediately, upon the queen's decease, the crown descended and came to King James; so that you see the title of Queen Elisabeth is again acknowledged by parliament. And the entail made by the statute of 35 Hen. 8. being spent upon her death without issue, King James comes in, as next heir to the old entail made the first year of Henry the Seventh.

Thus, I have set down before you the whole course of the English succession, as plainly, as truly, and as briefly as is possible. I shall leave every man to make his own observations on this historical deduction: but this one observation, I believe, all men must make from it, that it hath been the constant opinion of all ages, that the parliament of England had an unquestionable power to limit, restrain, and qualify the succession as they pleased, and that in all ages they have put their power in practice; and that the historian had reason for saying, that seldom, or never, the third heir, in a right descent, enjoyed the crown of England.

It were as easy to shew, that in all other kingdoms, the next of blood hath been frequently excluded from the succession†; but the history of our own country is our business; yet I cannot forbear reciting the speech which ambassadors, sent from the States of France, made to Charles of Lorraine, when they had solemnly rejected him (though he was brother to Loys d' Outremes, and next heir to the crown) and had elected Hugh Capet for their king. They told him, that every one knew that the succession of the crown of France belonged to him, and not Hugh Capet‡. But yet (say they the very

\* Strangway's Hist. of Mary Queen of Scotland, fol. 179. † Daniel, fol. 5. in vita H. 1.  
‡ Gerr. du Hall. lib. 6. An. 992.

same laws, which give you this right of succession, do now judge you also unworthy of the same ; for that you have not hitherto endeavoured to frame your manners according to the prescript of these laws, nor according to the usages and customs of your country, but rather have allied yourself with the German nation, our old enemies, and have loved their vile and base manners. Wherefore, seeing you have forsaken the ancient virtue and sweetness of your country, we have also forsaken and abandoned you, and have chosen Hugh Capet for our king, and put you back ; and this, without any scruple of conscience at all, esteeming it better, and more just, to live under him, enjoying our ancient laws, customs, privileges, and liberties, than under you, the heir by blood, in oppressions, strange customs, and cruelty. For, as those, who are to make a voyage at sea, do not much consider whether the pilot be owner of the ship, but whether he be skilful and wary : so our care is, to have a prince to govern us gently and happily (which is the end for which princes were appointed), and for these ends we judge this man fitter to be our king.

Certainly, it were a most dangerous thing to have an opinion prevail, that the king, in concurrence with his parliament, should not have power to change the direct order of succession, though the preservation both of him and his people did depend upon it. For it does directly tend to anarchy, and makes the government to want power to defend itself, by making such alterations, as the variety of accidents in several ages may make absolutely necessary. There must be a supreme uncontrollable power lodged somewhere. And the men, who talk at this rate, can hardly find where it is lodged in England, if not in the king, lords, and commons, in parliament.

But when a man begins to ask a reason of this doctrine of theirs, that proximity of blood does give a title unchangeable by any human laws, the teachers of it differ exceedingly. Some of them tell us of a divine patriarchal right, which kings, as natural fathers of their people, have derived down to them from Adam. And this notion, though it be no older than the present age, has been very frequent in men's mouths and books, and has much pleased of late (as new things use to do.) But they consider not, that, if this be true, there never can be but one rightful monarch in the universe ; that is, he only who is the direct and lineal heir of Adam then living. And thus these great patrons of absolute power, instead of supporting, do shake the thrones of all the princes in the world, since none of them, at this day, can make out any such title.

There are others, who, being desirous to bestow upon the crown a compliment of the like nature, which they were at the same time obtaining from it, have declared in general, that monarchy is of divine right, that princes succeed by the laws of God, that their title is not subject to any earthly cognisance, nor owing to any consent of the people. But the consequences of this opinion are not once considered by these men, that thereby the property of all subjects and the laws of all countries are destroyed together. For no human laws or contracts can bind or restrain a power divinely instituted.

Or, if you like it better, in the words of a great cardinal\*, a jurisdiction; which is of divine right, is not alterable by the will or power of man.

Besides, all communities, which live under another form of government, must be guilty of violating this divine institution. And, perhaps, there are few others, besides the Great Turk's dominions, which are governed as they ought to be.

In what a damnable condition are the Venetians and the Netherlands, who admit no monarch at all? Poland, and the empire, who elect their princes, and will not hear talk of this divine right of succession?

Arragon, where they do not only elect their king, but tell him plainly at his coronation, that they will depose him, if he observes not the conditions which they require from him, and have a settled officer, called *el justitia*, for that purpose. Nay, even France itself, which, it is notoriously known, does exclude women from this divine right.

That government is of nature, and derived from God, is manifest. Nothing is more natural in man, than the desire of society, and without government, society would be intolerable. But can it be proved from hence, that the government cannot be moulded into several forms, agreeable to the interest and dispositions of several nations, and may not be varied from time to time, as occasion requires, by the mutual consent of the governors, and of those who are governed?

And after all pretences of this kind, let any place of scripture be produced, wherein God obliges a people to this, or that form, till they have first obliged themselves to it, by some act of their own?

I do agree that, if God by any extraordinary revelation has ordained any sort of government, or, by any immediate denomination, has conferred a kingdom on any family, and has directed in what order the crown shall descend, that all men are bound to submit to it, and acquiesce in the divine will, as soon as it is clearly and evidently made out to them; but they must not be angry, if men expect such an evidence.

There is a third sort of men, who tell us, this realm being intirely subdued by the conqueror, and by him left to descend to his heirs, none of these heirs, who derive a title under him, can deprive those who are to succeed of any right, which they ought to have, but must leave the crown as free to them, as they themselves received it from their ancestors.

I will not here insist upon the danger that any prince runs into, who founds his title in force, because it will be hard to prove that such an one does not leave as good a title open for every man, who can make himself strong enough. Nor need I trouble myself to shew, that all conquest does not put the conqueror into an absolute right. Though it be most evident in the case of William the First, who did by his sword prosecute a claim of another nature, and meant only to acquire that right, and after conquest rested in it,

\* Card. Palav. Hist. Conc. Trid. lib. 18. c. 13.

He pretended to the crown as the gift of King Edward, and to vindicate that title, he entered with arms. And though his relation to the crown was more remote than that of Edgar Atheling (then a child), yet this title was better than Harold's the present usurper, who could pretend no kindred at all, and who had himself sworn to support the grant to William. Nor did he claim a power by conquest, (though the name of Conqueror was given him by after times, says Daniel) but submitted to the orders of the kingdom, desirous rather to have his testamentary title, than his sword, to make good his succession. But I will admit that he made an absolute conquest; and then these men will grant that he might himself dispose of this conquered kingdom. Therefore, if he did not leave it to descend in such a manner as they would have it go, nor did institute any such sort of succession, surely this argument of theirs will fall to the ground. Now it is plain, that he never designed that the crown should descend, but gave it to his second son, and thereby gave an early example of excluding and pretermittting the unworthy.

Lastly, others object, that the fundamental laws of the land, against which no act of parliament can be of force, have so established the succession, that the course of it cannot be altered. This is surely a new discovery unknown to our fore-fathers, as the foregoing history does abundantly prove. But let these objectors be asked, By what authority these imaginary laws were made? For if an authority, equal to that which made them, be still in being, that authority may certainly repeal them, whenever it pleases to exert itself. If the king alone made them, no doubt but that he may change them too. If they will say they were made by the diffusive body of the people; they run before they are aware, into the guilt of worshiping that idol the multitude, and make a great step towards placing the foundation of the government upon contract and consent. But then let them produce those laws, or some authentick memorial of them, before it be exacted from us to believe, there were ever any such.

Yes, they will say, there is such an ancient law, acknowledged by all the judges, and known to every man, that the descent of the crown purges all defects whatsoever. This maxim, as it is usually repeated, is in these words; and this might be admitted, and yet could not be pertinently applied to a case, where the descent itself is prevented by a law. But I will not take advantage of their words, but will consider the objection, as it stands in that book, where the first mention of it was made; and that is in the Year Book of Henry the Seventh, it being said there by the judges, That the king was a person able, and discharged of any attainder, *eo facto*, that he took upon him the government, and to be king.\*

First, This was not only an extrajudicial opinion, but was not pertinent to the question referred to their consideration, Whether those who were chosen into the house of commons, and were at that time attainted of treason, might sit in parliament till their at-

\* 1 H. 7. fol. 4. b. Que le roy fuest person able et discharge d'aucun attainder eo facto qu'il prist sur luy le reign et estre roy.



tainders were reversed ; and they all agree that their attainders should first be annulled. But then they proceed to say, That there was no necessity that the king's attainder should be reversed ; for that he might enable himself, and needed not any act of reversal. But surely they said very wisely in what they said, for he, who had won a crown in the field, had gone a great way towards enabling himself to wear it. Most sure it is, that if an act of reversal were necessary before he could sit, that then it was impossible he ever should sit there, because no such act could be made, without the royal assent. Henry the Seventh was then king *de facto*, and in possession of the throne, and it was somewhat of the latest to consider, whether he was qualified or not. Certainly it had been strange self-denial in the judges, and a neglect of themselves (which is not usual with them) to have alledged an incurable disability in the king, from whence they had their patents and authority.

In the next place let us consider, what precedent the judges cite to justify this opinion of theirs, and how opposite it is. Henry the Sixth, being driven out of the kingdom by Edward the Fourth, the conqueror called a parliament, and got an act to pass, whereby Henry was disabled to hold the crown. About ten years after, Henry regains the kingdom, and upon this re-accession to the crown (as it is usually called) this act is never repealed. But does not every child see the reasons of it ? For if Henry was lawful king (and before he was not to doubt that) the act itself was void, inasmuch as it wanted the royal assent. So that for him to have procured an act of repeal, had been to affirm a title to the crown in Edward. But without doubt, this opinion of the judges, as it is applied by the objectors, was new and unheard of before. We see the king of France was otherwise informed by the learned men in the time of King John,\* for they thought his blood corrupted, and him incapable of taking the crown by descent, because he was attainted of treason ; which prevailed with that king to send over his son Lewis, to put in his claim, in right of his wife, who was the next heir. It also ought to be observed, that the true reason, why the generality of the nation did so long approve the title of the house of Lancaster, was, because all the princes of the house of York were attainted of treason, and their blood corrupted. But as soon as ever this corruption was purged, and Richard Duke of York was declared heir apparent by parliament, the people soon forsook the Lancastrians, and set the house of York on the throne.

Nay the very learned men of the same age with these judges thought quite otherwise, as will appear beyond contradiction, in this famous case which follows. Richard the Third had two elder brothers, Edward and George Duke of Clarence. Richard, designing to secure the crown to himself, had procured the children of Edward to be declared illegitimate, yet still the Duke of Clarence had issue living, which might pretend. But observe what the parliament say (as to this) in the first year of Richard the Third:†  
 ' That, in the seventeenth year of Edward the Fourth, George Duke

\* Mat. Westm. 273. v. supra;

† V. sup. & Cott. Rec. 709.

‘ of Clarence was attainted of treason, by reason whereof all the  
 ‘ issue of the said George was, and is disabled and barred of all  
 ‘ right and claim, that in any case, he, or his issue, might have, or  
 ‘ challenge by inheritance to the crown, and dignity royal of these  
 ‘ realms. After that we consider, that you be the undoubted heir,  
 ‘ &c. And so they proceed, affirming that all learned men in the  
 ‘ laws do approve his title.’ You see, within less than three years  
 before this opinion of the judges, the whole parliament do not only  
 give their opinion, but assure you that all learned men of that time  
 held clearly, that an attainder did hinder the descent of the crown,  
 and incapacitate the person to take it. Nay, what goes yet further  
 in this matter, Richard himself, though he was as jealous to secure  
 his title as ever tyrant was, and had as good advice to discern the  
 most distant danger ; though he was always restless in endeavouring  
 to get the Earl of Richmond into his hands, who was a very remote  
 pretender, and only descended from a bastard of the house of Lan-  
 caster, yet he feared nothing on this side. He knew how he had  
 wronged the children of his brother Edward, and could not be at  
 ease till he had sent them out of the world ; but he let the children of  
 his brother Clarence live, without apprehending any danger from  
 them, because their blood was corrupted, and all possibility of descent  
 taken from them, by the attainder of their father. It was this only  
 preserved them alive, and not any remorse of conscience, or any  
 niceness in sending another nephew out of the world, after those  
 whom he had dispatched before. This notable case, attended with  
 these circumstances, will convince every man either that the judges  
 intended no such thing by their opinion as some men fancy, or else  
 at least that extra judicial opinions were then as apocryphal as they  
 have been since.

Consider, lastly, the unreasonableness of this doctrine, which tends  
 directly to subvert government, and to put the life of the king  
 regnant into the hands of his successor. The next heir may com-  
 mit rapes, and murders, and treasons ; burn cities, or betray fleets ;  
 may conspire against the life of his prince, and yet, after all, if by  
 flight or force he can save himself, till some of his accomplices can  
 get the king dispatched, in spite of all laws and justice he must  
 come to the crown, and be innocent.

But when I reflect what sort of men I am arguing with, and how  
 willingly they use to submit to authority, I think I shall convince  
 them best by citing the opinions of two great men, the one a cardi-  
 nal, the other a lord-chancellor, both of them martyrs for the papal  
 supremacy ; I mean, Bishop Fisher and Sir Tho. Moor. And, if  
 their judgments approve the power of parliaments in the business of  
 the succession, it cannot but weigh very much on such occasions as  
 this. It is well known, how \* with resolution, even to death, they  
 refused the oath of succession which the parliament had framed,  
 because therein the king’s supremacy was avowed, and therefore  
 they cannot be suspected to dissemble, when at the very same time  
 they declared, that, if that of supremacy was left out, they would

\* Burn. Hist. Reform. lib. 2. fol. 156.

willingly swear an oath to maintain the succession of the crown to the issue of the king's present marriage, as it was then established by parliament, and gave this reason for it, that this was in the power of a parliament to determine; but not who was supreme head of the church. Sir Tho. Moor went further, and owned a very strange opinion of their power in this point. But he says expressly at the same time, that the parliament had unquestionable authority in the ordering the succession, and that the people were bound to obey them therein.

After the testimonies of these two great Papists, it will be little to add the testimony of a Protestant. But yet I will mention what Sir Walter Rawleigh (who was no inconsiderable man, though a Protestant) says in his incomparable preface to the history of the world: 'Without doubt (says he) human reason would have judged no otherwise, but that Henry the Fourth had rendered the succession as unquestionable, by the act of parliament which he had procured to entail it on his issues, as by his own act he had left his enemies powerless.'

But sinking men catch hold of every thing, and, when they cannot object to the validity, they will tell us, That such an act of parliament, to disinherit the next heir, is unjust and without a sufficient ground.

I will not, at present, enter into a dispute how far the difference of religion, which will also necessarily draw on a change in the government, does justify men in seeking to preserve the two dearest things on earth in an orderly and lawful way. I will not (though I safely might) challenge these men to tell me, wherever any settled nation which had laws of their own, and were not under the immediate force of a conqueror, did ever admit of a king of another religion than their own. I will not insist on it that the crown is not a bare inheritance, but an inheritance accompanying an office of trust; and that, if a man's defects render him incapable of the trust, he has also forfeited the inheritance. I need not say how far a nation is to be excused for executing justice summarily, and without the tedious formalities of law, when the necessity of things requires haste, and the party flies from justice, and his confederates are numerous and daring, and the prince's life in danger.

But this I will say, that, if the parliament have power in this thing, which I need not prove, by shewing, that the ordinary course of law allows heirs to be disinherited of fines and recoveries, and that the parliament, in all ages, has frequently done it by making acts to alter the strongest settlements, where equity has dictated it, though the heirs were never, in any wise, criminal: There, according to Sir Thomas Moor's opinion, 'the people are bound, in conscience, to obey their laws, and must not pretend to enquire whether they were made upon just grounds.' For by the same reason they may pretend that all other laws were made without just cause, and refuse obedience to any of them. And surely those, that should do so, would be an excellent loyal party. God defend this nation from such loyalty, as opposes itself to the laws.

A SHORT  
HISTORICAL COLLECTION  
TOUCHING  
THE SUCCESSION OF THE CROWN.

Folio, containing two pages.

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**W**HETHER the history of the succession of the crown will allow so good and clear an hereditary right, *jure humano*, the reader will best judge, by the short historical collection, touching the succession, hereto subjoined.

In the heptarchy, there was no fixed hereditary right, one king tripping up the heels of another, as he had power, till one got all.

After no fixed hereditary right, for Athelstan, the great king, was a bastard, and so were several others; who, by their courage and policy, got the crown; so that a law was made, under the Saxon monarchy, *De ordinatione regum*, that directed the election of kings, prohibiting bastards to be elected.

Edward the Confessor was not king *jure hereditario*.

William the First, called the Conqueror, had no right but from the people's election.

William Rufus was elected against the right of his elder brother.

Henry the First came in by the same way.

King Stephen was elected *a clero & populo*, and confirmed by the Pope.

Henry the Second came in by consent, yet he had no hereditary right, for his mother was living.

Richard the First was charged before God and man, by the archbishop, upon his coronation, that he should not presume to take the crown, unless he resolved faithfully to observe the laws.

King John, his brother, because his elder brother's son was a foreigner, was elected *a clero & populo*, and being divorced from his wife, by his new queen, had Henry the Third.

Henry the Third was confirmed and settled in the kingdom, by the general election of the people; and, in his life-time, the nation was sworn to the succession of Edward the First, before he went to the Holy-Land.

Edward the First, being out of England, by the consent of lords and commons, was declared king.

Edward the Second, being misled, and relying too much upon his favourites, was deposed, and his son was declared king in his life-time.

Richard the Second, for his evil government, had the fate of the second Edward.

Henry the Fourth came in by election of the people, to whom succeeded Henry the Fifth, and Henry the Sixth, in whose time Richard Duke of York claimed the crown, and an act of parliament was made, that Henry the Sixth should enjoy the crown for his life, and the said duke after him; after which, King Henry raised an army, by assistance of the queen and prince, and, at Wakefield, in battle kills the duke, for which, in parliament, 1 Ed. 4. they were all by act of parliament attainted of treason; and one principal reason thereof was, for that, the duke being declared heir to the crown after Henry, by act of parliament, they had killed him.

Edward the Fourth enters the stage, and leaves Edward the Fifth to succeed, to whom succeeds Richard the Third, confirmed king by act of parliament, upon two reasons: *First*, that, by reason of a pre-contract of Edward the Fourth, Edward the Fifth, his eldest son, and all his other children, were bastards. *Secondly*, For that the son of the Duke of Clarence, second brother to Edward the Fourth, had no right, because the duke was attainted of treason, by a parliament of Edward the Fourth.

Henry the Seventh comes in, but had no title. *First*, because Edward the Fourth's daughter was then living. *Secondly*, his own mother, the Countess of Richmond, was then living.

After him Henry the Eighth wore the crown, who could have no title by the father. In his time, the succession of the crown was limited three several times, and the whole nation sworn to the observance.

Sir Thomas Moor declared, that the parliament had a power to bind the succession, and would subscribe thereto.

Edward the Sixth succeeded, but his mother was married to King Henry, while Catharine of Spain, his wife, was living.

Queen Mary was declared a bastard, and, by virtue of an act of parliament of Henry the Eighth, she succeeded; which act being repealed in the first of her reign, and the crown being limited otherwise by parliament, all the limitations of the crown in Henry the Eighth's reign were avoided; so that

Queen Elisabeth, who was declared a bastard, by act of parliament, in Henry the Eighth's time, and limited to succeed, in another act in his time, and that act repealed by Queen Mary, became queen in the force of her own act of parliament, which declared her lawful queen.

The crown was entailed in Richard the Second's time; again in the time of Henry the Fourth; again in the time of Henry the Sixth; again in the time of Edward the Fourth; again in the time of Richard the Third; again in the time of Henry the Seventh; thrice in the time of Henry the Eighth.

And, upon the marriage of Queen Mary to Philip of Spain, both the crowns of England and Spain were entailed; whereby it was provided, that, of the several children to be begotten upon the queen, one was to have the crown of England, another Spain, another the Low-Countries; the articles of marriage, to this purpose, were confirmed by act of parliament, and the Pope's bull.

So that it was agreed, by the states of both kingdoms, and the Low-Countries; and, therefore, probably, the universal opinion of the great men of that age, that kings and sovereign princes, with the consent of their states, had a power to alter and bind the succession of the crown.

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## THE GREAT BASTARD,\*

### PROTECTOR OF THE LITTLE ONE.

DONE OUT OF THE FRENCH.

*And for which, a Proclamation, with a Reward of 5000 Louis'dors, to discover the Author, was published.*

Printed at Cologne, 1689. Quarto, containing thirty pages.

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**W**E find in holy writ, that, in the Jewish law, it was expressly provided by the supreme legislator, 'That a bastard should not enter into the congregation of the Lord, even to the tenth generation:' but it seems the unhappy kingdom of France allows the bastard himself, not only to enter into the congregation, but to settle himself upon the throne, and to bear it higher than all the preceding kings before him, which had a better right to do it, as being the offspring of kings, and not the sons of the people, the proper term the Roman law gives to bastards. We have heard of the Salick law, in force in that kingdom, for a great many ages, by which the crown of France cannot fall from the sword to the distaff; but, 'till the blessed days of our august monarch, we never had the happiness to be acquainted with a law or custom, by which that was in the power of a Queen of France, to provide us an heir to the crown, without the concurrence of her husband, and to impose upon us, for our king, a brat of another man's making. All the reign of our invincible monarch has been a constant series of wonders; but, amongst them all, this is none of the least, That he, who was, in the opinion of all the world, the son of a private gentleman, from his birth to the end of the Prince of Conde's wars, has had the good fortune to be, ever since, no less than the son of Lewis the Thirteenth. After this, let no body call in question the commonly supposed fable of the transmutation of Iphis from a woman to a man, since to be translated from a bastard, to a son lawfully begotten, is equally as difficult.

Among a great many other quarrels I have with the English nation, this is one, That they are a people too nice in believing miracles; and their haughtiness is such, as they scorn, forsooth, to

\* This is the 60th number in the catalogue of pamphlets in the Harleian Library.

believe impossibilities : for albeit they, and all the rest of the world about them, are firmly persuaded, that the little bauble Prince of Wales was never of Queen Mary's bearing, much less of King James's begetting ; yet, if these infidels had been as well-mannerly credulous, as we in France have been, of the wonderful transmutation of our Lewis le Grand, they needed not have made all this noise about the little impostor infant, but might have comforted themselves in the hopes, that he, who was a spurious Prince of Wales to-day, might some years hence, by a new French way of transubstantiation, become a lawfully begotten King of England. But the mischief of all is, these stiff-necked hereticks, ever since they fell off from the communion of the holy church, make bold to call in question all our miracles ; and such a one, as this would be, I am afraid they would stick at, amongst others.

Good God ! how happy had it been for France, yea, for a great part of the world, that the French had been as great infidels, upon the point of miracles, as the heretick English ; and that our Lewis the Fourteenth had been hurled out of France, when but Dauphin of Viennois, as the little mock Prince of Wales has been out of England, when scarce well handled into the light ? What dismal tragedies has our French impostor caused in Christendom ? How many cities laid in ashes, countries ruined, families extinguished, and millions of lives sacrificed to the vanity and ambition of a bastard ?

The Hugonots of France, of all people in the world, have most reason to be ashamed of their conduct, with relation to this ungrate monster, in the time of his minority, and of the Prince of Conde's wars : and these people, who disown a thousand things in the Catholic religion, merely upon the account of their being, in their opinion, irreconcilable to reason, did strangely contradict, not only common sense, but even reason itself, in being brought to think, that it was possible that Lewis the Fourteenth should be the true son of Lewis the Thirteenth, after near half a jubilee of years past in marriage betwixt him and Anne of Austria, his queen, without the least hope of issue, with all the concurring signs of a natural impotency on his side. But these gentlemen have paid dear enough for their opinions, and have had sufficient time and occasion to read their past folly, in their present affliction, and to call to mind, with regret, their unaccountable madness, in assisting him to re-ascend the throne of France, whom almost the whole nation, the princes of the blood, and the parliament of Paris had combined together to tumble down, and had certainly done it, if the Hugonots had not turned the scale. These poor Hugonots have had so many sad occasions since to repent their fault, that I confess it is scarce generous to upbraid the miserable with the follies they cannot now amend, and which have brought upon them so many misfortunes. And yet I must beg leave to tell them, That as their zeal to Lewis the Fourteenth's unjust interest was the original cause, in my opinion, of heaven's thus afflicting them by his hands ; so indeed it was the true motive that induced this ungrate to ruin them. For thus it was, that he and his jesuitick cabal reasoned amongst themselves. If the Hugonots in the late

Prince of Conde's wars, when the crown was at stake, were able to turn the balance, and to draw victory and success to the side they espoused, which at that time was ours: by the same parity of reason, if the same Hugonots shall at any time hereafter be induced to join against us, and to take our enemy's part, they will without all doubt turn the scale on the other side, and prove as dangerous enemies as formerly they were friends; and thence, by a diabolical way of reasoning, it was concluded that it was the true interest of the crown, that the Hugonots should be utterly destroyed.

By the way, I must, though contrary to my inclination, do a piece of justice to Lewis the Fourteenth, in vindicating him from a common aspersion cast upon him by the Hugonots, and it is this: Over and above the foulest ingratitude imaginable (in which charge I heartily agree with them) he is chargeable with, as to them they will needs load him to the boot, with no less than perjury and breach of faith, in not observing the famous edict of Nantz, which was granted to them by King Henry the Fourth, and declared by him to be, in all time coming, an irrevocable and fundamental constitution of the state; which edict, say they, Lewis the Fourteenth swore at his coronation inviolably to observe. I confess this is a heavy charge; but, to speak no worse of the devil than he deserves, in my opinion our Lewis le Grand is not chargeable upon that score, as not being bound to the observance of that edict, even though having sworn it; if we shall consider, that, by the express words of the edict itself, King Henry obliges himself and his lawful successors only, that is, those who shall succeed to the crown of France in a lawful descent of royal blood. Now I think no man will say, that, by this clause of the edict, an extraneous person, such as our interloper Lewis the Fourteenth, is, can be included; and therefore, as having none of the royal blood of France in his veins, he cannot be justly charged with perjury or breach of faith, in not observing one edict, which was declared and meant to oblige only the lawful successors of King Henry the Fourth.

Here I cannot but relate a discourse I had once with one of the fathers of the Capuchin order, the very day after the revocation of the edict of Nantz, and which may serve to answer one objection naturally arising, from what I have said upon this head. All Paris was filled with the noise of this affair, and, in every corner, both Papist and Protestant were reasoning upon it: amongst the rest, the good Capuchin and I would needs turn both statesmen and casuists on the subject. We lost betwixt us all the arguments we could fall upon, to vindicate, if possible, the king's so apparently unjust action; and, in the end, we came to reason, how far the king was obliged to the observance of the edict of Nantz, upon account of his not being indeed the lawful successor of Henry the Fourth, the granter of it. But, said I, 'Father, though I should agree, that the king is not obliged by that edict at first, for the reason we have named, yet his posterior swearing to observe it, makes him as liable to the observance of it, as if he were really the true successor



‘ to Henry the Fourth, and of the royal blood of France.’ To this the Capuchin returned me a very satisfactory answer: ‘ Sir,’ says he, ‘ it seems you are but little acquainted with the casuistick doctrine and principles of the Jesuits, and have not the happiness to be acquainted with Father le Chese the king’s confessor, so well as I; and therefore I’ll tell you one evasion, a wit, like his, will soon find out to remove all needless scruples from the king’s mind, arising from his swearing the edict of Nantz, and it is this: The words of the oath, which the king did take at his coronation, were these: And seeing this edict was declared to by King Henry the Fourth, our grandfather of glorious memory, to be irrevocable; and that his lawful successors, the succeeding kings of France, should swear the same at their coronation, therefore we do thereby promise and swear, faithfully and inviolably to observe the said edict all the days of our life-time. Now these being the very words of the king’s oath (continues the capuchin) how proper and easy was it for the Reverend Father le Chese, to tell him, Sire, you are not at all obliged by this oath, because it leans upon, and contains in its very bosom, a supposition, upon the removal of which, the whole oath itself does necessarily fall, viz. your majesty’s being the grand-child of Henry the Fourth; which neither you yourself, nor no body else does believe: so that, if your majesty has sworn an oath, wherein there is an express supposition that you are the grand-child of Henry the Fourth, which you are not, the oath itself, as leaning on that false supposition, must necessarily fall with it, and becomes in itself void. I hope you are wiser, (concludes the capuchin to me) but to think that Father le Chese might use all this freedom with his ignorant bigotted pupil, enslaved to his direction, especially that he is acquainted with all the villainies of his life, and in particular with his criminal privacies with the dauphiness.’ Thus far the capuchin’s discourse and mine; and I must say, upon reflexion, I cannot divine an evasion which Father le Chese could have fallen upon more plausible, to persuade his enslaved pupil to revoke the edict of Nantz, than this the capuchin hinted at.

But I know the reader will tell me, what means all this pother, upon a mere supposition that Lewis le Grand is a bastard, without making it appear, or proving that he is so? I acknowledge, that, of all the tasks one ever ventured upon, that of proving a man to be a bastard is the hardest; for, when a woman designs to bring another than her husband to her bed, she uses not to order such and such persons to stand by, that they may bear testimony of her crime; and though some women may come the length of inadvertency or impudence, in being too open in their amours, yet when they have to do with a gallant that is concerned in honour, and obliged by his character, to be more reserved in his pleasures; it is not to be imagined, but she will be taught to play her part, if not chastely, yet cautiously. All the world knows that the cardinals of Richlieu and Mazarin were capable of keeping their own secrets; and yet it is to be re-

gretted, that their amours with our invincible monarch's mother were hard enough to be concealed, so many are the spies about the courts of princes.

That Anne of Austria found a way to provide an heir to Lewis the Thirteenth, without putting him to the pains of getting it himself, will appear clearly enough, if we take a view of all the circumstances that meet in this affair, which, all taken together, leave us no room to doubt of that queen's concern for perpetuating her husband's memory at any cost.

Common fame was ever looked upon as a great presumption of the truth of a thing, especially if joined to other concurring circumstances; and never did that prating goddess extend her voice louder, than in proclaiming to the world the spurious birth of our august monarch. Time was, when she did not whisper it in corners, but expressed it in publick pictures, plays, farces, and what not? Modesty will not allow me to mention the bawdy shapes of these two sorts of bread, called to this day the Queen's Bread, and the Cardinal's Bread, sold through Paris, and in most places of France; so that, at that time, one could scarce sit down to eat, but he was put in mind of the queen and the cardinal's amours. It were in vain to enumerate the thousandth part of the satires and pasquils on this subject, for a great many years; each pen outvying one another, in the glory of propagating to posterity the love passions of these two mighty cardinal ministers of state; let this one upon Cardinal Richlieu, affixed on his palace, serve for all:

What means th' ungrate French to hate,  
The only true support of state?  
What greater favour could there be  
Shewn to the king, queen, state, all three;  
Than to provide, by his unwearied care,  
The king a son, the queen a husband, and the state an heir?

Impotency is one of those imperfections, a man is most unwilling to take with, being that which unmans him, and renders him the scorn of his own, and the abhorrence of the other sex. It can only be proved by presumptions; and these are for the most part reducible, either to his indifference for the fair sex in general, or for his own wife in particular; the weakness of his constitution, or his cohabiting with a woman of a sound body, and proportioned age, for a considerable time, without having any issue by her. All these presumptions, and some more than perhaps decency will allow me to name, will be found in Lewis the Thirteenth, the supposed father of our august monarch.

I think there can be no greater proof of a man's indifference for the fair sex, in general, or his own wife in particular, than when a man, in the heat of his youth, has a right by marriage to the bed of a beautiful and young princess, has her constantly in his view, and in his power, and yet, at the same time, can, for some years together, abstain from those embraces, which marriage has not only made lawful, but a duty. And this unwonted coldness, in youth, is

the more to be jealous, that, previous to the marriage, the man did express an eager impatience to enjoy his young bride; for the subsequent coldness and abstinence does clearly insinuate a consciousness of his being mistaken of himself, and that upon trial he has found his power not answerable to his will.

Of all this, we have a pretty clear instance in Lewis the Thirteenth. Upon his being married by proxy to Anne of Austria, Infanta of Spain, afterwards mother to our invincible monarch, he expressed the greatest eagerness to enjoy her, and, having gone the length of Bourdeaux to meet her, his desires vented themselves in the following letter, sent her some few days before her arrival.

‘MADAME,

‘SINCE I cannot, according to my longing desire, find myself near you, at your entry into my kingdom, to put you in possession of the power I have, and of that intire affection I have in my breast to love and serve you; I send you Luyenes, one of the most trusty of my servants, to salute you in my name, and to tell you, that you are expected by me with the greatest impatience, to offer unto you myself: I pray, therefore, receive him favourably, and believe what he shall tell you, madam, from your most dear friend and servant,

‘LEWIS.’

The strain of this letter seems to be warm enough, and the word, offer of himself, is pretty expressive, as coming from a young bridegroom, to a young and beautiful bride. Now who would have dreamed, but this skirmishing by letters should have produced a fixed battle at meeting? But, alas! our youngster, having bedded his queen but for the space of two hours, rises up from his nuptial bed, too late conscious to himself of his unfitness for the sports of Venus. And, albeit he was in his queen's company every day for four years thereafter, his false desires never led him once again, during all that time, to try a second rencounter: Yea, it was expected by every body, he should never have ventured to bed the queen again, if his favourite Luyenes had not tricked him into it, the very night of his sister's marriage with the prince of Piedmont. For, Luyenes finding the king in a good jolly humour, and talking more wantonly than ordinary, he grasps him out of his bed, in his arms, and throwing a night-gown about him, brings him unexpectedly into the queen's bed. It was indeed pretended, that the reason of this four years abstinence was, for fear the marriage-bed might hinder the king's growth, and enervate his strength: And yet it is hard to believe, that such a politick consideration could prevail with a man that had any boiling blood in his veins. But every body will be apt, at the first dash, to draw this consequence from it, that there was more in it of a winter chilness, than usually suits with youth.

From the beginning of the year 1619, to 1638, King Lewis the Thirteenth continued to cohabit with his queen; and often in his

melancholy fits, to which he was naturally subject, he would complain to his confidants, that he knew certainly the queen would have no children to him. Upon which fell out a remarkable passage, that serves mightily to unriddle some difficulties in this affair. One day at Fontainebleau, the time of his brother Monsieur's wars against him, being in a sullen fit, he began to regret, to some few about him, his misfortune of not having children of his own body; which, he said, was the cause of Monsieur's insolence against him, and of his power with the people, as being presumptive heir of the crown. Hereupon some of them began to tell him, that, for reasons of state, it was very fit to procure a divorce from the queen; and that, perhaps, another wife might bring him children to heir the crown of France, and put Monsieur beside the cushion. But Luyenes, who knew the king's infirmity best, taking him aside, told him with his usual freedom, 'Sire, unless you resolve to ruin yourself, for good and all, let there never be the least mention made, in time coming, of a divorce from the queen; for, if any such thing shall come to her ears, she will be sure to lay the blame of her barrenness upon your majesty; and this every body will believe, and which will render Monsieur's pretensions insupportable.' And indeed, it was from this consideration, that the motion of a divorce was ever afterwards laid aside, lest the queen should be provoked, to tell out the truth, and thereby Monsieur's interest elevated a pin higher than suited with the king's safety.

There is another great presumption of one's impotency, when a man evinces himself to be indifferent not only for his own wife, but for the whole fair sex in general. Lewis the Thirteenth gave ample proofs of this sort of virtue, if it be one; having been never seen to cast one single warm glance at any of the beauties of the court, and never heard to utter one expression that could be interpreted amorous.

Of this indifference of his, for the fair sex, there is one pretty instance, in an expression he had to Monsieur his brother, upon the occasion of his marrying the Duke of Lorraine's daughter against the king's will. Monsieur having told him, by way of excuse, that he chused to marry at any rate, rather than to live in whoredom; and one of the two, he said, his constitution obliged him to do: 'Brother; replies the king, you, and I, it seems, are of different tempers, for I could live all my life without either of them.' Here was a modest, though untimely confession of his indifference, if not impotency; and indeed Monsieur was not wanting to improve it in his circular letters, he wrote to his partisans, a few months after, upon his retiring to Brussels.

There is another story, much of the same nature, that passed betwixt the king and his favourite Luyenes, about the divorce from the queen, when it was first talked of. Luyenes told him, that the only way to stop the queen's mouth, in the matter of the divorce, was for the king to give an evidence, that her barrenness was not from his fault, by trying to get children by some other woman; and, hereupon, he mentioned one of the handsomest ladies about court, as a

fit mistress for him. The king answered coldly '*Mais je vous assure Luyenes, je ne songe pas a telles choses;*' 'but I assure you,' says he, Luyenes, I do not think upon these things;' and so the discourse was dropped.

I shall only name one other instance more, of the king's indifference for the fair sex, because it was so publick, and had so much of rallery in it. The king being one day playing at cards with Mademoiselle Ramboulet, it happened that the king alledged upon her, she had dropped a card on design, saying he would have it, be where it will: The lady, finding she was discovered, slipped the card into her breast, saying, 'Sire, I am assured you will not take it out here.' Which was true, for the king gave over any further search, when he saw the card was in her bosom.

A great many attributed this indifference of the king's, for his own lady, and all other women, to the weakness of his constitution; and, indeed, he was of the tenderest and sickliest imaginable, being, from his birth, weak in his limbs, and asthmatick to his dying-day. The Duke of Espernon, rallying one day with the king's physician, told him, he was afraid the king might over-heat himself, in the embraces of a young and beautiful queen. The physician, nodding his head, answered him, it must be a great heat that will thaw his majesty's ice.

But though Lewis the Thirteenth had been a just admirer of his own queen, and of the fair sex in general, and had neither been branded with impotency, nor known to be of a weakly constitution, what a wonderful thing was it, that what a man could not do, in the heat of his youth, he should, in the beginning of the autumn of his age, and that there should be twenty-three years betwixt their marriage, and the birth of their first child! I remember the poets tell us, that Jupiter, when he was to beget Hercules, was necessitated to make a night three times longer than the ordinary; so difficult was it, even for the father of the Gods, to beget an hero: but our invincible hero Lewis le Grand, required a longer time to be gotten than Hercules, and twenty-three years was little enough time to produce our august monarch. What a shame was it for Cardinal Richelieu to throw away so much pains to no purpose? And how easy had it been to have made the king a father, and the queen a mother, in the twentieth part of that time, if he had but understood the new English way of getting and bearing children? But, it seems, the art of imposing infant princes was not then brought to that perfection, it has been of late; and Anne of Austria was not so good a proficient in the trade, as Mary of Modena. What needed the former have made herself the talk of all France, for her intrigues with her two cardinals? It had been the easiest thing in the world to make her a mother, without the trouble of one single throw. A close balister about the bed, and a convenient passage at the head of it, with a wary midwife, and one or two more trusty confidants, might have done just as well.

But the curse of all was, our Lewis the Thirteenth was neither to be imposed upon, in such an affair, nor could be brought into

the design himself; his malice to his brother, the next heir, though at war with him, came not up to that length, as to cheat him of the throne. And, though Lewis the Thirteenth had been capable of so great a weakness, or rather madness, his brother Monsieur was too much concerned, to let the queen impose upon him one to exclude him from the crown. During the queen's bigness, Monsieur had his constant spies about her, to watch her motions, and to tell him every thing that past. Upon the news of the queen's being in labour, Monsieur was not out of the way, but hastens away to her bed-chamber; and his sedulity and watchfulness was scarce allowable in modesty; the least circumstance, about the mother and child, did not escape his prying curiosity, and the field of nature itself was laid open to his view; such is the misfortune of princesses, when bearing children, in prejudice of other men's rights. Monsieur, retiring himself to his chamber, in a melancholy mood, as he had good reason, was asked of, by Espernon, what he had seen; 'Alas! says he, I am sure I saw it come out, but, who the devil put it in, I know not.'

Queen Mary of Modena took a shorter cut, and a more modest method of lying-in. She would neither allow the princesses concerned, to search into her bigness, nor permit any, in their name, to be present at her labour. The poor princess of Denmark was hurried away to the bath, upon the pretence of her health; and the queen dowager was not brought in, till the game was over. And who can blame a modest Italian, to be more reserved in the secrets of nature, than a blunt Spaniard? How happy was it for the first, that, instead of two princesses at a distance, she did not meet with a blustering Duke of Orleans, to peep more narrowly into the scheme of her contrivances, and render her and her plot ridiculous?

But, to return to the happy birth of our Lewis le Grand, it seems all the endeavours of Cardinal Richelieu, to provide an heir for France, were unsuccessful. Whether his brain, and his other parts, were not of a piece, or his pressing cares of state, joined to some natural impediment, were the cause of it, I cannot tell; but it was reserved for a person of a meaner condition, though of a more robust constitution, to effectuate what this consummate churchman had attempted in vain. Monsieur le Grand, a gentleman of a comely person, and sprightly spirit, and a courtly genius, was looked upon as the fittest person to make up the defects of an impotent king, and a wearied favourite cardinal. This carpet-knight was admitted into the embraces of the queen, and, by her teeming belly, she found, within a few months, that she had hit upon a fit stallion to propagate the royal family of France.

It is generally thought, this gentleman was not so much the queen's own choice, as that of Richelieu; and that this refined minister persuaded the queen to entertain Monsieur le Grand for her gallant, out of a mere principle of state, as being more likely to make the queen a mother, than he himself was. And this is the rather believed, that it is generally known, that, immediately after

the queen was found to be with child, Monsieur le Grand was dismissed the court, upon the honourable pretence of being made Lieutenant-criminal of Provence, the wily cardinal fearing his intimacy with the queen might prejudice him in her favour; and, indeed, after this job was done, the cardinal had no more use for him, as the sequel made it too evident.

Pliny tell us a story of the wolf, That he never sees his sire, because, says he, he is murdered by the rest of the wolves, out of envy, that he was preferred by the she-wolf before them. The same fate had the father of this rapacious creature, Lewis the fourteenth; for, being noosed into the conspiracy of Monsieur de Monmorency, he was beheaded at Tholouse, by the Cardinal's express command; who was unwilling the queen should have an abler gallant, than himself, for the future.

I cannot but regret the fate of this poor gentleman, in being first brought to the bed of a queen, and thereafter in having his head chopped off, merely that he might not tell tales, or give any jealousy to his rival, in the queen's favour: yet I judge him happy in this, that he did not live to see the monster he had begotten.

There happened a memorable passage at his death, which was this. Being all along, after his condemnation, laid asleep with an assurance of a pardon, even upon the scaffold, to the end he might not discover any of his criminal secrecies with the queen; at last, being desired to lay down his head, for the blow, he came to understand, too late; that he was cheated out of his life; and just when he was beginning to express himself in these words: '*O! la vanite d'estre aime d'une feme cruele, &c.*' '*O! the vanity of being loved by a woman cruel, and devoted to the villainous councils of a church-man.*' Here the fatal axe did put an end to the sentence, and to his life together.

This end had Monsieur le Grand, father of our august monarch: and it is but just, his son should bear the name of le Grand, not as an epithet, but as the surname of his father, le Grand, by way of epithet, being never his due. And thus was Cardinal Richelieu revenged upon him, for being a fitter and abler gallant to the queen, than himself, tho' at first he was not only the privado, but the first encourager of their amours.

When I am on this subject, I cannot but mention a droll sort of letter, written about that time by Monsieur to the Duke of Lorraine, his brother-in-law, from Brussels, which was afterwards found among the Duke of Lorraine's papers, taken at St. Michael, which was to this purpose: '*Your highness accuses me unjustly, for not obtaining from Monsieur le Grand, when he was with me, a declaration of his privacies with the queen; which you say, would have mightily furthered my affairs: but, Sir, though Monsieur le Grand, at some certain times, out of a transport of fury against the queen, for her unkindness, as he termed it, would confess to me the whole secrets past betwixt the queen and him; yet the very next moment, he would pass from all he had said, and affirm, that what he spoke formerly was but in jest. One night, when we were speaking of retiring from court, I brought him to promise, that*

' he should wait on me the next morning, to give an ample declaration of what I sought of him ; but he changed his mind that very night, and told me the next day, that he would do it some other time, when our affairs were better ripened. Being astonished at this sudden change, I found by inquiry, that the cardinal had sent for him that very night, and that he was in his privy-chamber above an hour together ; and what past betwixt them two, I cannot divine, but by the event. Notwithstanding of all this,' concludes Monsieur's letter, ' I cannot think but this unfortunate has left some such declaration in the hands of some of his friends, which if it could be fallen upon, would mightily conduce to the good of our affairs, &c.'

In this letter, we see Monsieur asserts plainly, that Monsieur le Grand confessed to him his privacies with the queen, and had promised in his angry fits, to declare them under his hand ; though I must say, it was not generous on his part, let the queen's ingratitude to him be what it will ; and it is more than probable, that the taking vent of this affair hastened his ruin. It seems Mademoiselle, who is yet alive, daughter to Monsieur, was persuaded of the truth of this intrigue ; and that her father had told her, how little right Lewis XIV. had to the crown ; since a great many years after, at the barricado of Paris, this princess went in person to the Bastille, and with her own hand, fired the first gun, against the king's forces, with this expression, ' I know of no right he has here.'

If likeness be a sign of a near relation, never were there two faces liker to one another, than these of our invincible monarch, and Monsieur le Grand. And I must acknowledge the wisdom of the queen, in causing Monsieur le Visme, her painter, to call in all the pictures of Monsieur le Grand, that he could possibly get into his hands, when she found her son betrayed his true father by his physiognomy : for those, who have seen both the originals, will say, there was need of all this caution.

Thus the Cardinal Richelieu had the honour of being a gallant to a queen, and, upon trial of his own want of a prolifick quality, had the goodness to provide another better qualified than himself. Notwithstanding of this obligation the nation has to him, I cannot forgive his insolence in ordering these words to be engraven in capital letters, upon the pedestal of Lewis XIII's statue, in the palace royal, '*Cardinalis Richlieus coadjutor suus in omnibus suis negotiis* : ' The Cardinal Richelieu, his helper in all his affairs : ' as if it had not been enough to have cuckolded his master, without erecting him a statue, merely to tell the world that he did so.

As similitude in faces is often a sign of a relation in blood, so the likeness of condition is as often an incentive to love, and the motive to friendship. Let no-body therefore blame Lewis the Great, for patronising the little Prince of Wales ; it is but reasonable the great bastard should protect the little one, and endeavour to set upon the English throne just such a creature as is already upon the French one.

It is just with our great bastard, as with the fox in the fable, who



had the misfortune to lose his tail; he would needs persuade his neighbours to cut off theirs, that thereby he might hide his own infirmity. It is certain Lewis the Fourteenth would be content that all the scepters of Christendom were only swayed by bastards, that his own spuriousness might be the less taken notice of. And if it be true, that some lawyers affirm of the old law of Normandy, that by it bastards did exclude the lawfully begotten; no body has reason to exclaim against Lewis le Grand's succession to the crown of France, since he is a Norman by birth, as born at St. Germain en Lye, the hithermost town of that province.

Methinks I hear the little Prince of Wales, or rather his true parents, exclaiming against me heavily, for calling him so often a bastard, and thus pleading against the injustice of my pen: 'What devil must inspire a man to call one a bastard, that is really begotten in lawful wedlock; and though he had the good fortune to be brought into Queen Mary's bed, by a skilful midwife, to be there owned for her own son, yet all this makes him not a bastard: and pray who would have refused to lend their son to the heir of three crowns?' I confess there is reason in all this; and I am very inclinable to excuse both the little impostor and his parents, since few would have refused such an offer; and I oblige myself, that if ever I happen to be in England, when the gentleman comes to be king, I shall beg his pardon for giving him a name he deserves not.

## KILLING NO MURDER;

### BRIEFLY DISCOURSED IN THREE QUESTIONS.

BY WILLIAM ALLEN.

And all the people of the land rejoiced, and the city was quiet, after that they had slain Athaliah with the sword. 2 *Chron.* xxiii. 21.

Now after the time that Amaziah did turn away from following the Lord, they made a conspiracy against him in Jerusalem, and he fled to Lachish; but they sent to Lachish after him, and slew him there. 2 *Chron.* xxv. 27.

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*To his Highness Oliver Cromwell.*

May it please your Highness,

**H**OW I have spent some hours of the leisure, your highness hath been pleased to give me, this following paper will give your highness an account; how you will please to interpret it, I cannot tell; but I can, with confidence, say, my intention in it, is to procure your

highness that justice no body yet does you, and to let the people see, the longer they defer it, the greater injury they do both themselves and you. To your highness justly belong the honours of dying for the people, and it cannot chuse but be an unspeakable consolation to you, in the last moments of your life, to consider, with how much benefit to the world you are like to leave it. It is then only, my lord, the titles you now usurp, will be truly yours; you will then be, indeed, the deliverer of your country, and free it from a bondage, little inferior to that from which Moses delivered his. You will then be that true reformer, which you would now be thought; religion shall then be restored, liberty asserted, and parliaments have those privileges they have fought for. We shall then hope, that other laws will have place, besides those of the sword, and that justice shall be otherwise defined, than the will and pleasure of the strongest; and we shall then hope, men will keep oaths again, and not have the necessity of being false and perfidious, to preserve themselves, and be like their rulers. All this we hope from your highness's happy expiration, who are the true father of your country; for, while you live, we can call nothing ours, and it is from your death that we hope for our inheritances. Let this consideration arm and fortify your highness's mind against the fears of death, and the terrors of your evil conscience, that the good you will do, by your death, will somewhat balance the evils of your life. And if, in the black catalogue of high malefactors, few can be found that have lived more to the affliction and disturbance of mankind, than your highness hath done; yet your greatest enemies will not deny, but there are likewise as few that have expired more to the universal benefit of mankind, than your highness is like to do. To hasten this great good is the chief end of my writing this paper; and, if it have the effects I hope it will, your highness will quickly be out of the reach of men's malice, and your enemies will only be able to wound you in your memory, which strokes you will not feel. That your highness may be speedily in this security, is the universal wish of your grateful country; this is the desire and prayer of the good and of the bad, and, it may be, is the only thing wherein all sects and factions do agree in their devotions, and is our only common prayer. But, amongst all that put in their requests and supplications, for your highness's speedy deliverance from all earthly troubles, none is more assiduous, nor more fervent, than he, that, with the rest of the nation, hath the honour to be, may it please your highness,

Your Highness's present slave and vassal,

W. A.

*To all those Officers and Soldiers of the Army, that remember their Engagements, and dare be honest.*

I HEARTILY wish, for England's sake, that your number may be far greater, than I fear it is; and that his highness's frequent purgations may have left any amongst you, that, by these characters, are concerned in this dedication. That I, and all men, have reason

to make this a doubt, your own actions, as well as your tame sufferings, do but too plainly manifest. For you, that were the champions of our liberty, and to that purpose were raised, are not you become the instruments of our slavery? And your hands, that the people employed to take off the yoke from our necks, are not those the very hands that now do put it on? Do you remember, that you were raised to defend the privileges of parliament, and have sworn to do it; and will you be employed to force elections, and dissolve parliaments, because they will not establish the tyrant's iniquity, and our slavery, by a law? I beseech you, think upon what you have promised, and what you do; and give not posterity, as well as your own generation, the occasion to mention your name with infamy, and to curse that unfortunate valour and success of yours, that only hath gained victories, as you use them, against the commonwealth. Could ever England have thought to have seen that army, that was never mentioned without the titles of religious, zealous, faithful, courageous, the fence of her liberty at home, the terror of her enemies abroad, become her jailers? Not her guard, but her oppressors? Not her soldiers, but a tyrant's executioners, drawing to blocks and gibbets all that dare be honest than themselves? This you do, and this you are; nor can you ever redeem your own honour, the trust and love of your country, the estimation of brave men, or the prayers of good, if you let not, speedily, the world see you have been deceived; which they will only then believe, when they see your vengeance upon his faithless head that did it. This, if you defer too long to do, you will find too late to attempt, and your repentance will neither vindicate you, nor help us. To let you see you may do this, as a lawful action, and to persuade you to it, as a glorious one, is the principal intent of this following paper: which, whatever effects it hath upon you, I shall not absolutely fail of my ends; for, if it excites not your virtue and courage, it will yet exprobrate your cowardice and baseness. This is from one that was once amongst you, and will be so again, when you dare be as you were.

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It is not any ambition to be in print, when so few spare paper and the press, nor any instigations of private revenge or malice (though few, that dare be honest, now want their causes) that have prevailed with me to make myself the author of a pamphlet, and to disturb that quiet, which, at present, I enjoy, by his highness's great favour and injustice. Nor am I ignorant, to how little purpose I shall employ that time and pains, which I shall bestow upon this paper. For to think, that any reasons or persuasions of mine, or convictions of their own, shall draw men from any thing, wherein they see profit or security, or to any thing, wherein they fear loss, or see danger, is to have a better opinion, both of myself and them, than either of us both deserve.

Besides, the subject itself is of that nature, that I am not only to expect danger from ill men, but censure and disallowance from many that are good. For these opinions, only looked upon, not

looked into (which all have not eyes for) will appear bloody and cruel; and these compellations I must expect from those that have a zeal, but not according to knowledge. If, therefore, I had considered myself, I had spared whatever this is of pains, and not distasted so many, to please so few, as are, in mankind, the honest and the wise. But, at such a time as this, when God is not only exercising us with a usual and common calamity, of letting us fall into slavery, that used our liberty so ill; but is pleased so far to blind our understandings, and to debase our spirits, as to suffer us to court our bondage, and to place it amongst the requests we put up to him. Indignation makes a man break that silence, that prudence would persuade him to use; if not to work upon other men's minds, yet to ease his own.

A late pamphlet tells us of a great design, discovered against the person of his highness, and of the parliament's coming (for so does that junto profane that name) to congratulate, with his highness, his happy deliverance from that wicked and bloody attempt. Besides this, that they have ordered that God Almighty shall be mocked with a day of thanksgiving, as I think the world is with the plot, and that the people shall give publick thanks for the publick calamity, that God is yet pleased to continue his judgments upon them, and to frustrate all means that are used for their deliverance. Certainly, none will now deny, that the English are a very thankful people. But, I think, if we had read in Scripture, that the Israelites had cried unto the Lord, not for their own deliverance, but the preservation of their task-masters; and that they had thanked God, with solemnity, that Pharaoh was yet living, and that there were still great hopes of the daily increase of the number of their bricks: Though that people did so many things, not only impiously and prophanely, but ridiculously and absurdly; yet, certainly, they did nothing, we should more have wondered at, than to have found them ceremoniously thankful to God for plagues, that were commonly so brutishly unthankful for mercies; and we should have thought, that Moses had done them a great deal of wrong, if he had not suffered them to enjoy their slavery, and left them to their tasks and garlick.

I can, with justice say, my principal intention, in this paper, is not to declaim against my lord protector, or his accomplices; for, were it not more to justify others, than accuse them, I should think their own actions did that work sufficiently, and I should not take pains to tell the world what they knew before. My design is, to examine whether if there hath been such a plot as we hear of, and that it was contrived by Mr. Sindercombe, against my lord protector, and not by my lord protector, against Mr. Sindercombe, which is doubtful, whether it deserves those epithets, Mr. Speaker is pleased to give it, of bloody, wicked, and proceeding from the prince of darkness. I know very well, how uncapable the vulgar are of considering what is extraordinary and singular in every case, and that they judge of things, and name them, by their exterior appearances, without penetrating at all into their causes or natures And, witha

doubt, when they hear the protector was to be killed, they straight conclude, a man was to be murdered, not a malefactor punished; for they think, the formalities do always make the things themselves; and that it is the judge and the cryer that makes the justice, and the jail the criminal. And, therefore, when they read, in the pamphlet, Mr. Speaker's speech, they certainly think, he gives these plotters their right titles; and, as readily as a high court of justice, they condemn them, without ever examining whether they would have killed a magistrate, or destroyed a tyrant, over whom every man is naturally a judge, and an executioner, and whom the laws of God, of nature, and of nations, expose, like beasts of prey, to be destroyed as they are met.

That I may be as plain as I can, I shall, first, make it a question, which, indeed, is none, whether my lord protector be a tyrant or not? Secondly, if he be, whether it is lawful to do justice upon him, without solemnity, that is, to kill him? Thirdly, if it be lawful, whether it is likely to prove profitable or noxious to the commonwealth?

The civil law makes tyrants of two sorts; *tyrannus sine titulo*, and *tyrannus exercitio*: the one called a tyrant, because he hath no right to govern; the other, because he governs tyrannically. We will briefly discourse of them both, and see whether the protector may not, with great justice, put in his claim to both titles.

We shall sufficiently demonstrate who they are that have not a right to govern, if we shew who they are that have, and what it is that makes the power just, which those, that rule, have over the natural liberty of other men. To fathers, within their private families, nature hath given a supreme power. Every man, says Aristotle, of right governs his wife and children; and this power was necessarily exercised, every where, whilst families lived dispersed, before the constitutions of commonwealths; and, in many places, is continued after, as appears by the laws of Solon, and the most ancient of those of Rome. And, indeed, as by the laws of God, and nature, the care, defence, and support of the family lies upon every man whose it is; so, by the same law, there is due unto every man from his family, a subjection and obedience, in compensation of that support. But, several families uniting themselves together, to make up one body of a commonwealth, and being independent one of another, without any natural superiority or obligation, nothing can introduce, amongst them, a disparity of rule and subjection, but some power that is over them, which power none can pretend to have, but God and themselves: Wherefore all power, which is lawfully exercised over such a society of men, which, from the end of its institution, we call a commonwealth, must necessarily be derived, either from the appointment of God Almighty, who is supreme Lord of all and every part, or from the consent of the society itself, who have the next power to his, of disposing of their own liberty, as they shall think fit, for their own good. This power God hath given to societies of men, as well as he gave it to particular persons; and when he im-

terposes not his own authority, and appoints not himself who shall be his viceregents, and rule under him, he leaves it to none, but the people themselves, to make the election, whose benefit is the end of all government. Nay, when he himself hath been pleased to appoint rulers for that people, which he was pleased particularly to own, he many times made the choice, but left the confirmation and ratification of that choice to the people themselves. So Saul was chosen by God, and anointed king by his prophet, but made king by all the people of Gilgal. David was anointed king by the same prophet; but was afterwards, after Saul's death, confirmed by the people of Judah, and, seven years after, by the elders of Israel, the people's deputies, at Hebron. And it is observable, that, though they knew that David was appointed king by God, and anointed by his prophet, yet they likewise knew, that God allowed to themselves, not only his confirmation, but likewise the limitation of his power; for, before his inauguration, they made a league with him; that is, obliged him, by compact, to the performance of such conditions, as they thought necessary for the securing their liberty. Nor is it less remarkable, that, when God gives directions to his people, concerning their government, he plainly leaves the form to themselves: for he says not, when thou shalt have come into the land which the Lord thy God gives thee, *Status super te regem*; but *si\* dixeris, statuum*. God says not, thou shalt appoint a king over thee: But, if thou shalt say, I will appoint, leaving it to their choice, whether they would say so or no. And it is plain, in that place, that God gives the people the choice of their king, for he there instructs them whom they shall choose, *e medio fratrum tuorum*, one out of the midst of thy brethren; much more might we say, if it were a less manifest truth, that all just power of government is founded upon these two bases, of God's immediate command, or the people's consent. And therefore, whosoever arrogates to himself that power, or any part of it, that cannot produce one of those two titles; is not a ruler, but an invader; and those, that are subject to that power, are not governed, but oppressed.

This being considered, have not the people of England much reason to ask the protector this question, *Quis constituit te virum principem & judicem super nos?* 'Who made thee a prince and a judge over us? If God made thee, make it manifest to us; if the people, where did we meet to do it? Who took our subscriptions? To whom deputed we our authority? And when and where did those deputies make the choice? Sure these interrogations are very natural, and, I believe, would much trouble his highness, his council, and his junto, to answer. In a word, that I may not tire my reader (who will not want proofs for what I say, if he wants not memory) if to change the government without the people's consent: if to dissolve their representatives by force, and disannul their acts: if to give the name of the people's representatives to confederates of his own, that he may establish iniquity by a law: if to take away men's lives, out of all course of law, by certain murderers of his own appointment whom

\* Deut. xvii. 14.

by his own power, to impose upon the people what taxes he pleases; and to maintain all this by force of arms: if, I say, all this does make a tyrant, his own impudence cannot deny, but he is as compleat a one, as ever hath been, since there have been societies of men. He that hath done, and does all this, is the person for whose preservation the people of England must pray; but, certainly, if they do, it is for the same reason, that the old woman of Syracuse prayed for the long life of the tyrant Dionysius, lest the devil should come next.

Now, if, instead of God's command, or the people's consent, his highness hath no other title but force and fraud, which is to want all title: and if to violate all laws, and propose none to rule by, but those of his own will, be to exercise that tyranny he hath usurped, and to make his administration conformable to his claim; then the first question we proposed is a question no longer.

But before we come to the second, seeing things are more easily perceived and found by the description of their exterior accidents and qualities, than the defining their essences: it will not be amiss to see, whether his highness hath not as well the outward marks and characters by which tyrants are known, as he hath their nature and essential properties: whether he hath not the skin of the lion, and tail of the fox, as well as he hath the violence of the one, and deceit of the other? Now, in this delineation which I intend to make of a tyrant, all the lineaments, all the colours will be found so naturally to correspond with the life, that it cannot but be doubted, whether his highness be the original or the copy; whether I have, in drawing the tyrant, represented him; or in representing him expressed a tyrant: and therefore, lest I should be suspected to deal unsincerely with his highness, and not to have applied these following characters, but made them, I shall not give you any of my own stamping, but such as I find in Plato, Aristotle, Tacitus, and his highness's own evangelist, Machiavel.

1. Almost all tyrants have been first captains and generals for the people, under pretences of vindicating and defending their liberties: '*Ut imperium evertant, libertatem præferunt; cum pervertunt, ipsam aggrediuntur*;' says Tacitus, 'to subvert the present government, they pretend liberty for the people; when the government is down, they then invade that liberty themselves;' this needs no application.

2. Tyrants accomplish their ends much more by fraud than force; neither virtue nor force, says Machiavel, are so necessary to that purpose, as *una astutia fortunata*, a lucky craft; which, says he, without force has been often found sufficient, but never force without that. And in another place he tells us, their way is *Aggirare cervelli de gli huomini con astutia*, &c. With cunning plausible pretences to impose upon men's understandings, and in the end they master those that had so little as to rely upon their faith and integrity.

It is but unnecessary to say, that had not his highness had a faculty to be fluent in his tears, and eloquent in his execrations: had he not had spongy eyes, and a supple conscience; and besides to do with a people of great faith, but little wit: his courage, and the rest of his moral virtues, with the help of his janisaries, had never been able so far to advance him out of the reach of justice, that we should have need to call for any other hand to remove him, but that of the hangman.

3. They abase all excellent persons, and rid out of the way all that have noble minds. *Et terræ filios extollunt*, and advance sons of the earth.

To put Aristotle into other words, they purge both parliament and army, till they leave few or none there, that have either honour or conscience, either wit, interest, or courage to oppose their designs. And in these purgations, saith Plato, tyrants do quite contrary to physicians; for they purge us of our humours, but tyrants of our spirits.

4. They dare suffer no assemblies, not so much as horse-races.

5. In all places, they have their spies and dilators, that is, they have their Fleetwoods, their Broghills, and their St. Johns; besides innumerable small spies, to appear discontented, and not to side with them; that under that disguise they may get trust, and make discoveries; they likewise have their emissaries to send with forged letters. If any doubt this, let him send to Major-general Brown, and he will satisfy him.

6. They stir not without a guard, nor his highness without his life-guard.

7. They impoverish the people, that they may want the power, if they have the will to attempt any thing against them. His highness's way is by taxes, excise, decimations, &c.

8. They make war to divert and busy the people; and besides to have a pretence to raise monies, and to make new levies, if they either distrust their old forces, or think them not sufficient. The war with Spain serveth his highness to this purpose; and upon no other justice was it begun at first, or is still continued.

9. They will seem to honour and provide for good men; that is, if the ministers will be orthodox and flatter; if they will wreat and torture the scripture to prove his government lawful, and furnish his title; his highness will likewise be then content to understand scripture in their favour, and furnish them with titles.

10. Things that are odious and distasteful, they make others executioners of; and when the people are discontented, they appease them with sacrificing those ministers they employ. I leave it to his highness's major-generals to ruminate a little upon this point.

11. In all things they pretend to be wonderful careful of the publick; to give general accounts of the money they receive, which they pretend to be levied for the maintenance of the state, and the prosecuting of the war. His highness made an exten-



he names, A high court of justice: if to decimate men's estates, and lent comment upon this place of Aristotle, in his speech to the parliament.

12. All things set aside for religious uses they set to sale; that while those things last, they may expect the less of the people. The cavaliers would interpret this of the dean and chapters hands.

13. They pretend inspirations from Gods, and responses from oracles to authorise what they do; his highness hath been ever an enthusiast. And as Hugh Capet, in taking the crown, pretended to be admonished to it in a dream by St. Valery and St. Richard; so I believe will his highness do the same, at the instigation of St. Henry and St. Richard, his two sons.

14. Lastly, above all things they pretend a love to God and religion. This Aristotle calls *Artus tyrannicariæ potissimam*; the surest and best of all the arts of tyrants; and we all know his highness hath found it so by experience. He hath found indeed, that in godliness there is great gain; and that preaching and praying, well managed, will obtain other kingdoms as well as that of heaven. His, indeed, have been pious arms, for he hath conquered most by those of the church, by prayers and tears. But the truth is, were it not for our honour to be governed by one that can manage both the spiritual and temporal sword, and Roman like, to have our emperor, our high priest, we might have had preaching at a much cheaper rate, and it would have cost us but our tythes, which now costs us all.

Other marks and rules there are mentioned by Aristotle to know tyrants by; but they being unsuitable to his highness's actions, and impracticable by his temper, I insist not on them. As, among other things, Aristotle would not have a tyrant insolent in his behaviour, and not strike people. But his highness is naturally cholerick, and must call men rogues, and go to cuffs. At last he concludes, he should so fashion his manners, as neither to be really good, nor absolutely bad, but half one, half the other. Now this half good is too great a proportion for his highness, and much more than his temper will bear.

But to speak truths more seriously, and to conclude this first question. Certainly whatever these characters make any man, it cannot be denied but his highness is, and then, if he be not a tyrant, we must confess we have no definition nor description of a tyrant left us, and may well imagine there is no such thing in nature, and that it is only a notion and a name. But if there be such a beast, and we do at all believe what we see and feel, let us now enquire, according to the method we proposed, whether this be a beast of game, that we are to give law to, or a beast of prey, to destroy with all means, that are allowable and fair?

In deciding this question, authors very much differ, as far as it concerns supreme magistrates, who degenerate into tyrants. Some think they are to be borne with as bad parents, and place them in the number of those mischiefs, that have no other cure, but our pa-

tience: Others think they may be questioned by that supreme law of the people's safety, and that they are answerable to the people's representatives for the breach of their trust. But none, of sober sense, make private persons judges of their actions; which were indeed to subvert all good government. But, on the other side, I find none, that have not been frightened or corrupted out of their reason, that have been so great enemies to common justice and the liberty of mankind, as to give any kind of indemnity to a usurper, who can pretend no title but that of being stronger, nor challenge the people's obedience, upon any other obligation but that of their necessity and fear. Such a person, as one out of all bounds of human protection, all men make the Ishmael, against whom, is every man's hand, as his is against every man. To him they give no more security, than Cain, his fellow murderer and oppressor, promised to himself, to be destroyed by him, that found him first.

The reason why a tyrant's case is particular, and why in that every man hath that vengeance given him, which in other cases is reserved to God and the magistrate, cannot be obscure, if we rightly consider what a tyrant is, what his crimes are, and in what state he stands with the commonwealth, and with every member of it. And certainly, if we find him an enemy to all human society, and a subverter of all laws, and one that by the greatness of his villanies secures himself against all ordinary course of justice; we shall not at all think it strange, if then he have no benefit from human society, no protection from the law, and if, in his case, justice dispenses with her forms. We are therefore to consider that the end, for which men enter into society, is not barely to live, which they may do dispersed, as other animals, but to live happily, and a life answerable to the dignity and excellency of their kind. Out of society this happiness is not to be had; for singly we are impotent and defective, unable to procure those things, that are either of necessity or ornament for our lives; and as unable to defend and keep them, when they are acquired. To remedy these defects, we associate together, that what we can neither enjoy nor keep singly, by mutual benefits and assistances one of another, we may be able to do both. We cannot possibly accomplish these ends, if we submit not our passions and appetites to the laws of reason and justice; for the depravity of man's will makes him as unfit to live in society, as his necessity makes him unable to live out of it; and, if that perverseness be not regulated by laws, men's appetites to the same things, their avarice, their lust, their ambition, would quickly make society as unsafe, or more than solitude itself, and we should associate only to be nearer our misery and our ruin. That therefore, by which we accomplish the ends of a sociable life, is our subjection and submission to laws. These are the nerves and sinews of every society or commonwealth, without which they must necessarily dissolve and fall asunder. And indeed, as Augustine says, those societies where law and justice is not, are not commonwealths or kingdoms, but *magna Latrocinia*, great confederacies of thieves and robbers; those, there,

fore that submit to no law, are not to be reputed in the society of mankind, which cannot consist without a law: therefore Aristotle says, Tyranny is against the law of nature, that is, the law of human society, in which human nature is preserved. For this reason they deny a tyrant to be *partem civitatis*, for every part is subject to the whole; and a citizen, says the same author, is he who is as well obliged to the duty of obeying, as he is capable of the power of commanding; and indeed he does obey, whilst he does command; that is, he obeys the laws, which, says Tully, *magistratibus præsumt, ut magistratus præsumt populo*, are above the magistrates, as the magistrates are above the people. And therefore, a tyrant that submits to no law, but his will and lust are the law by which he governs himself and others, is no magistrate, no citizen, or member of any society, but an ulcer and a disease that destroys it; and, if it be rightly considered, a commonwealth by falling into a tyranny absolutely loses that name, and is actually another thing: *Non est civitas quæ unius est viri*, saith Sophocles, that which is one man's is no city. For there is no longer king and people, or parliament or people, but those names are changed, at least their natures, into masters and servants, lord and slaves; and *servorum non civitas erit sed magna familia*, says Grotius, 'where all are slaves, it is not a city,' but a great family; and the truth is, we are all members of Whitehall, and, when our master pleaseth, he may send for us thither, and there bore through our ears at the door-posts. But to conclude, a tyrant, as we have said, being no part of a commonwealth, nor submitting to the laws of it, but making himself above all law, there is no reason he should have the protection that is due to a member of a commonwealth, nor any defence from laws that does acknowledge none. He is therefore in all reason to be reckoned in the number of those savage beasts, that fall not with others, into any herd, that have no other defence but their own strength, making a prey of all that is weaker, and, by the same justice, being a prey to all that is stronger than themselves.

In the next place, let it be considered, that a tyrant, making himself above all law, and defending his injustice by a strength, which no power of magistrates is able to oppose, he becomes above all punishment, above all other justice, than that he receives from the stroke of some generous hand; and, certainly, the safety of mankind were but ill provided for, if there were no kind of justice to reach great villainies, but tyrants should be *immunditie scelerum tuti*, 'secured by the greatness of their crimes.' Our laws would be then but cobwebs indeed, made only to catch flies, but not to hold wasps or hornets; and it might be then said of all commonwealths, what was said of Athens, That there only small thieves were hanged, but the great ones were free, and condemned the rest. But he, that will secure himself of all hands, must know he secures himself from none; he, that flies justice in the court, must expect to find it in the street; and he, that goes armed against every man, arms every man against himself. '*Bellum est in eos, qui judiciis coerceri non possunt*,' says Cicero; 'we have war with those, against whom we can

'have no law.' The same author, '*cum duo sint decertandi genera, &c.*' There being two ways of deciding differences, the one by judgment and arbitration, the other by force; the one proper to men, the other to beasts; we must have recourse to the latter, when the former cannot be obtained. And, certainly, by the law of nature, '*ubi cessat iudicium,*' 'when no justice can be had,' every man may be his own magistrate, and do justice for himself; for the law, says Grotius, that forbids me to pursue my right, but by a course of law, certainly supposes, '*ubi copia est iudicii,*' where law and justice is to be had; otherwise, that law were a defence for injuries, not one against them; and, quite contrary to the nature of all laws, would become the protection of the guilty against the innocent, not of the innocent against the guilty. Now, as it is contrary to the laws of God and nature, that men, who are partial to themselves, and, therefore, unjust to others, should be their own judges, where others are to be had; so is it as contrary to the law of nature, and the common safety of mankind, that, when the laws can have no place, men should be forbidden to repel force by force, and so be left, without all defence and remedy, against the injuries. God himself left not the slave without remedy against the cruel master; and what analogy can it hold with reason, that the slave, that is but his master's money, and but part of his household-stuff, should find redress against the injuries and insolencies of an imperious master; and a free people, who have no superior but their God, should have none at all, against the injustice and oppression of a barbarous tyrant? And were not the incongruity full as great, that the law of God permitting every man to kill a thief, if he took him breaking open his house in the night; because then it might be supposed, he could not bring him to justice: but a tyrant, that is the common robber of mankind, and whom no law can take hold on, his person should be, *sacrosanct, cui nihil sacrum aut sanctum*, to whom nothing is sacred, nothing inviolable. But the vulgar judge ridiculously, like themselves; the glister of things dazzles their eyes, and they judge of them by their appearances, and the colours that are put on them. For what can be more absurd in nature, and contrary to all common sense, than to call him thief, and kill him, that comes alone, or with a few, to rob me; and to call him lord protector, and obey him, that robs me with regiments and troops? As if to rove with two or three ships were to be a pyrate, but, with fifty, an admiral! But, if it be the number of adherents only, not the cause, that makes the difference between a robber and a protector, I wish that number were defined, that we might know where the thief ends, and the prince begins; and be able to distinguish between a robber and a tax. But, sure, no Englishman can be ignorant, that it is his birth-right to be master of his own estate, and that none can command any part of it, but by his own grant and consent, either made expressly by himself, or virtually by a parliament. All other ways are mere robberies in other names: '*auferre, trucidare, rapere, falsis nominibus imperium, atque, ubi solitudinem faciunt, pacem appellant;*' 'to rob, to extort, to murder tyrants falsely called to govern, and to

'make desolation, they call to settle peace.' In every assessment we are robbed; the excise is robbery; the customs robbery; and, without doubt, whenever it is prudent, it is always lawful to kill the thieves, whom we can bring to no other justice; and not only lawful, and to do ourselves right, but glorious, and to deserve of mankind; to free the world of that common robber, that universal pyrate, under whom, and for whom, the lesser beasts prey. This firebrand I would have any way extinguished; this ulcer I would have any hand to lance; and, I cannot doubt, but God will suddenly sanctify some hand to do it, and bring down that bloody and deceitful man, who lives not only to misery, but the infamy of our nation.

I should have reason to be much less confident of the justice of this opinion, if it were new, and only grounded upon collections and interpretations of my own. But herein, if I am deceived, I shall, however, have the excuse to be drawn into that error, by the examples that are left us by the greatest and most virtuous, and the opinions of the wisest and gravest men, that have left their memories to posterity. Out of the great plenty of confirmations, I could bring for this opinion from examples and authorities, I shall select a very few; for manifest truths have not need of those supports; and I have as little mind to tire myself as my reader.

First, therefore a usurper, that by only force possesseth himself of government, and by force only keeps it, is yet in the state of war with every man, says the learned Grotius; and therefore every thing is lawful against an open enemy, whom every private man hath a right to kill. '*Hostis hostem occidere volui,*' says, Scævola to Porsenna, when he was taken, after he had failed in his attempt to kill him; 'I am an enemy, and an enemy I would have killed;' which every man hath a right to do.

'*Contra publicos hostes, & majestatis reos, omnis homo miles est,*' says Tertullian. 'Against common enemies, and those that are traitors to the commonwealth, every man is a soldier.' This opinion the most celebrated nations have approved, both by their laws and practices. The Grecians, as Xenophon tells us, who suffered not murderers to come into their temples, in those very temples they erected statues to those that killed tyrants, thinking it fit to place their deliverers amongst their gods. Cicero was an eyewitness of the honours that were done such men, *Græci homines, &c.* The Greeks, saith he, attributed the honours of the gods to those that killed tyrants. What have I seen in Athens, and other cities of Greece! What religion paid to such men! What songs! What eulogies! By which they are consecrated to immortality, and almost deified! In Athens, by Solon's law, death was not only decreed for the tyrant that oppressed the state, but for all those that took any charge, or did bear any office, while the tyranny remained. And Plato tells us the ordinary course they took with the ordinary tyrants in Greece. If, says he, the tyrant cannot be expelled, by accusing him to the citizens, then by secret practices they dispatch him.

Amongst the Romans the Valerian law was, *Si quis injuræ populi, &c.* Whosoever took magistracy upon him, without the

command of the people, it was lawful for any man to kill him. Plutarch makes this law more severe, '*Ut injudicatum occidere eum liceret, qui dominatum concupisceret.*' 'That it was lawful by that law, before any judgment past, to kill him that but aspired to 'tyranny.' Likewise the consular law, which was made after the suppression of the tyranny of the decemvirate, made it lawful to kill any man that went about to create magistrates, *sine provocatione*, &c. without reference and appeal to the people. By these laws, and innumerable testimonies of authors, it appears, that the Romans, with the rest of their philosophy, had learned from the Grecians, what was the natural remedy against a tyrant: nor did they honour these less that durst apply it. Who, as Polybius says (speaking of conspiracies against tyrants) were not *determini civium, sed generosissimi quisque, & maximi animi*; not the worst and meanest of the citizens, but the most generous, and those of the greatest virtue: so were most of those that conspired against Julius Cæsar; he himself thought Brutus worthy to succeed him in the empire of the world. And Cicero, who had the title of *Pater Patriæ*, if he were not conscious of the design, yet he at last affected the honour of being thought so: *Quæ enim res unquam, &c.* 'What act,' says he, 'O Jupiter! more glorious; more worthy of eternal memory, hath been done not only in this city, but in the whole world! In this design, as the Trojan horse, I willingly suffer myself to be included 'with the princes.' In the same place, he tells what all virtuous Romans thought of the fact as well as he: *Omnes boni, quantum in ipsis fuit, Cæsarem occiderunt: altis consilium: aliis animus: aliis occasio defuit, voluntas nemini*: 'all good men,' saith he, 'as much as lay in them, killed Cæsar: some wanted capacity, some courage, others opportunity, but none the will to do it.' But yet we have not declared the extent of their severity against a tyrant: they exposed him to fraud, as well as force, and left him no security in oaths and compacts; that neither law, nor religion, might defend him that violated both. *Cum tyranno Romanis nulla fides, nulla jurisjurandi religio*, saith Brutus in Appian; 'with a tyrant the Romans think no faith to be kept, observe no religion of an oath;' Seneca gives the reason, *Quia quicquid erat, quo mihi cohereret, &c.* For, whatever there was of mutual obligation betwixt us, his destroying the laws of human society hath dissolved; so these that thought that there was *in hostem nefas*, that a villainy might be committed against an enemy: these that professed, *non minus juste quam fortiter arma gerere*, to manage their arms with justice as well as courage: these that thought faith was to be kept even with the perfidious; yet they thought a tyrant could receive no injustice, but to be let live; and that the most lawful way to destroy him was the readiest, no matter whether by force or fraud; for, against beasts of prey, men use the toil and the net, as well as the spear and the lance. But so great was their detestation of a tyrant, that it made some take their opinions from their passions, and vent things which they could but ill justify to their morality; they thought a tyrant had so absolutely forfeited all title to humanity, and all kind of protection they could

give him or his, that they left his wife without any other guard for her chastity but age and deformity; and thought it not adultery what was committed with her. Many more testimonies might I bring; for it is harder to make choice than to find plenty. But I shall conclude with authorities that are much more authentick, and examples we may much more safely imitate.

The law of God itself decreed certain death to that man that would do presumptuously, and submit to no decision of justice. Who can read this, and think a tyrant ought to live? But certainly, neither that, nor any other law were to any effect, if there were no way to put it in execution. But, in a tyrant's case, process and citation have no place; and, if we will only have formal remedies against him, we are sure to have none. There's small hopes of justice where the malefactor hath a power to condemn the judge.

All remedy therefore against a tyrant is Ehud's dagger, without which all our laws were fruitless, and we helpless. This is that high court of justice where Moses brought the Egyptian, whither Ehud brought Eglon; Samson, the Philistines; Samuel, Agag; and Jehoiada, the she-tyrant Athaliah.

Let us a little consider, in particular, these several examples, and see whether they may be proportioned to our purpose.

First, as to the case of Moses and the Egyptian. Certainly, every Englishman hath as much call as Moses, and more cause than he, to slay this Egyptian, that is always laying on burthens, and always smiting both our brethren and ourselves: for, as to his call, he had no other that we read of, but the necessity his brother stood in of his help. He looked on his brethren's burdens, and seeing an Egyptian smiting an Hebrew, and knowing he was out of the reach of all other kind of justice, he slew him. Certainly, this was and is as lawful for any man to do, as it was for Moses, who was then but a private man, and had no authority for what he did, but what the law of nature gives every man, to oppose force to force, and to make justice where he finds none. As to the cause of that action, we have much more to say than Moses had; he saw one Hebrew smitten, we many Englishmen murdered; he saw his brethren's burdens and their blows, we our brethren's burdens, imprisonments, and deaths. Now, sure, if it were lawful for Moses to kill that Egyptian that oppressed one man, seeing there was no way to procure an ordinary course of justice against him; it cannot be but absurd to think it unlawful to kill him that oppresses a whole nation, and one that justice as little reaches as it defends.

The example of Ehud shews us the natural and almost the only remedy against a tyrant, and the way to free an oppressed people from the slavery of an insulting Moabite. 'Tis done by prayers and tears, with the help of a dagger, by crying to the Lord, and the left-hand of an Ehud. Devotion and action go well together; for, believe it, a tyrant is not of that kind of devil that is to be cast out by only fasting and prayer; and here the scripture shews us, what the Lord thought a fit message to send a tyrant from himself; a dagger of a cubit in his belly; and every worthy man that desires to be

an Ehud, a deliverer of his country, will strive to be the messenger.

We may here likewise observe in this and many places of Judges, that, when the Israelites fell to idolatry, which, of all sins, certainly is one of the greatest, God Almighty, to proportion the punishment and the offence, still delivered them into the hands of tyrants, which sure is one of the greatest of all plagues.

In the story of Samson, it is manifest, that the denying him his wife, and after the burning her and her father, which, though they were great, yet were but private injuries, he took for sufficient grounds to make war upon the Philistines, being himself but a private man, and not only not assisted but opposed by his servile countrymen. He knew what the law of nature allowed him; where other laws have no place, and thought it a sufficient justification for smiting the Philistines hip and thigh, to answer for himself; that, as they did unto him, so had he done unto them.

Now that which was lawful for Samson to do against many oppressors, why is it unlawful for us to do against one? Are our injuries less? Our friends and relations are daily murdered before our faces: Have we other ways for reparation? Let them be named, and I am silenced: But, if we have none, the fire-brands, or the jaw-bone, the first weapons our just fury can lay hold on, may certainly be lawfully employed against that uncircumcised Philistine that oppresses us. We have too the opposition and discouragements that Samson had, and therefore have the more need of his courage and resolution: As he had the men of Judah, so we have the men of Levi, crying to us out of the pulpit, as from the top of the rock Etam, 'Know you not that the Philistine is a ruler over you?' The truth is, they would fain make him so, and bind us, with Samson, in new cords; but we hope they will become as flax, and that they will either loose from our hands, or we shall have the courage to cut them.

Upon the same grounds of retaliation did Samuel do justice with his own hand upon the tyrant Agag: 'As thy sword, says the prophet, hath made women childless, so shall thy mother be childless amongst women.' Nor there is any law more natural and more just.

How many mothers has our Agag, for his own ambition, made childless? How many children fatherless? How many have this reason to hew this Amalekite in pieces before the Lord? And let his own relations, and all theirs that are confederates with him, beware, lest men come at last to revenge their own relations in them. They make many a woman husbandless, and many a father childless: Their wives may come at last to know what it is to want a husband, and themselves to lose their children. Let them remember what their great apostle Machiavel tells them, that, in contestations for the preserving their liberty, people many times use moderation; but, when they come to vindicate it, their rigour exceeds all mean; like beasts that have been kept up, and are afterwards let loose, they always are more fierce and cruel.



To conclude with the example Jehoiada hath left us. Six years he hid the right heir of the crown, in the house of the Lord; and, without all doubt, amongst the rest of God's mercies there, he was all that time contriving the destruction of the tyrant, that had aspired to the crown by the destruction of those that had the right to it. Jehoiada had no pretence to authorise this action, but the equity and justice of the act itself. He pretended no immediate command from God for what he did, nor any authority from the Sanhedrim, and therefore any man might have done what Jehoiada did as lawfully, that could have done it as effectually as he. Now what citation was given to Athaliah, what appearance was she called to before any court of justice? Her fact was her trial. She was, without any expostulation, taken forth of the ranges, and only let live till she got out of the temple, that that holy place might not be defiled by the blood of a tyrant, which was fitter to be shed on a dung-hill; and so they slew her at the horse-gate. And by the king's house, the very Whitehall where she had caused the blood royal to be spilt, and which herself had so long unjustly possessed, there, by providence, did she receive her punishment, where she had acted so great a part of her crimes. How the people approved of this glorious action of destroying a tyrant, this chapter tells us at the last verse \*: 'And all the people of the land rejoiced, and the city was quiet, after they had slain Athaliah with the sword.' And that it may appear they no less honoured the authors of such actions, than other nations did; as in his life-time they obeyed Jehoiada as a king, so, after his death, for the good he had done in Israel, saith the Scripture, they likewise buried him amongst the kings.

I must not conclude this story, without observing that Jehoiada commanded, that whosoever followed Athaliah should be put to death; letting us see what they deserve that are confederates with tyrants, and will side with them, and but appear to defend them, or allow them his highness's council, his junto, and the aga's of his janisaries, may, if they please, take notice of this, and repent, lest they likewise perish. And likewise his highness's chaplains, and triers, who are to admit none into the ministry that will preach liberty with the gospel, may, if they think fit, observe, that with the tyrant fell Mattan the priest of Baal. And indeed, none but Baal's priests will preach for tyrants. And certainly, those priests that sacrifice to our Baal, our idol of a magistrate, deserve as well to be hanged before their pulpits, as ever Mattan did to fall before his altars.

I should think now I had said much more than enough to the second question, and should come to the third and last I proposed in my method; but I meet with two objections lying in my way: The first is, that these examples out of Scripture are of men that were inspired of God, and that therefore they had that call and authority for their actions, which we cannot pretend to; so that it would be

unsafe for us to draw their actions into examples, except we had likewise their justifications to alledge.

The other objection is, that there being now no opposition made to the government of his highness, that the people following their callings and traffick at home and abroad, making use of the laws, and appealing to his highness's courts of justice: That all this argues the people's tacit consent to the government; and that therefore now it is to be reputed lawful, and the people's obedience voluntary.

To the first I answer with learned Milton, that if God commanded these things, it is a sign they were lawful, and are commendable. But secondly, as I observed in the relations themselves: Neither Samson nor Samuel alledged any other cause or reason for what they did, but retaliation, and the apparent justice of the actions themselves. Nor had God appeared to Moses in the bush, when he slew the Egyptian; nor did Jehoiada alledge any prophetic authority or other call to do what he did, but that common call which all men have, to do all actions of justice that are within their power, when the ordinary course of justice ceases.

To the second my answer is, that if commerce and pleadings were enough to argue the people's consent, and give tyranny the name of government; there was never yet any tyranny of many weeks standing in this world. Certainly, we then extremely wrong Caligula and Nero in calling them tyrants, and they were rebels that conspired against them; except we will believe, that all the while they reigned, in Rome they kept their shops shut, and opened not their temples, or their courts. We are likewise with no less absurdity to imagine, that the whole eighteen years time, which Israel served Eglon, and six years that Athaliah reigned, the Israelites quite desisted from traffick, pleadings, and all publick acts; otherwise Ehud and Jehoiada were both traitors, the one for killing his king, the other his queen.

Having shewed what a tyrant is, his marks and practices, I can scarce persuade myself to say any thing to that I made my third question, whether the removing him is like to prove of advantage to the commonwealth or not? For methinks it is to inquire whether it is better the man die, or the imposthume be lanced, or the gangrened limb be cut off? But yet there be some whose cowardice and avarice furnish them with some arguments to the contrary; and they would fain make the world believe, that to be base and degenerate is to be cautious and prudent; and what is in truth a servile fear, they falsely call a christian patience. It will not be therefore amiss to make appear that there is indeed that necessity, which we think there is, of saving the vineyard of the commonwealth, if possible, by destroying the wild boar that is broke into it. We have already shewed that it is lawful, and now we shall see whether it is expedient. First, I have already told you, that to be under a tyrant is not to be a commonwealth, but a great family, consisting of master and slaves. *Vir bone, servorum nulla est unquam civitas*, says an old poet, 'a number of slaves makes not a city.' So that, whilst this

monster lives, we are not members of a commonwealth, but only his living tools and instruments, which he may employ to what use he pleases. *Servi tua est fortuna, ratio ad te nihil*, says another; 'thy condition is a slave's, thou art not to inquire a reason;' nor must we think we can continue long in the condition of slaves, and not degenerate into the habits and temper that are natural to that condition; our minds will grow low with our fortune, and by being accustomed to live like slaves, we shall become unfit to be any thing else. *Etiam fera animalia, si clausa teneas, virtutis obliviscuntur*, says Tacitus: 'The fiercest creatures, by long constraint, lose their courage.' And, says Sir Francis Bacon, 'The blessing of Issachar and that of Judah fall not upon one people, to be asses couching under burdens, and to have the spirit of lions.' And with their courage it is no wonder, if they lose their fortune, as the effect with the cause, and act as ignominiously abroad, as they suffer at home. It is Machiavel's observation, that the Roman armies that were always victorious under consuls, all the while they were under the slavery of the Decemviri, never prospered. And certainly people have reason to fight but faintly, where they are to gain the victory against themselves; when every success shall be a confirmation of their slavery, and a new link to their chain.

But we shall not only lose our courage, which is a useless and an unsafe virtue under a tyrant, but by degrees we shall, after the example of our master, all turn perfidious, deceitful, irreligious, flatterers and whatever else is villainous and infamous in mankind. See but to what degree we are come already. Can there any oath be found so fortified by all religious ties, which we easily find not a distinction to break, when either profit or danger persuades us to it? Do we remember any engagements, or if we do, have we any shame to break them? Can any man think with patience upon what we have professed, when he sees what we wildly do, and tamely suffer? What have we of nobility amongst us but the name, the luxury, and the vices of it? Poor wretches, these that now carry that title, are so far from having any of the virtues, that should grace, and indeed give them their titles, that they have not so much as the generous vices that attend greatness, they have lost all ambition and indignation. As for our ministers \*; what have they, or indeed desire they, of their calling but the tythes? How do these horrid prevaricators search for distinctions to piece contrary oaths? How do they rake scriptures for flatteries, and impudently apply them to his monstrous highness? What is the city but a great tame beast, that eats and carries, and cares not who rides it? What is the thing called a parliament, but a mock; composed of a people that are only suffered to sit there, because they are known to have no virtue, after the exclusion of all others that were but suspected to have any? What are they but pimps of tyranny, who are only employed to draw in the people to prostitute their liberty? What will not the army fight for? What will they not fight against? What

\* Dr. Locker, Dr. Owen, Mr. Jenkins, &c.

are they but janisaries, slaves themselves, and making all others so? What are the people in general but knaves, fools, and cowards, principled for ease, vice, and slavery? This is our temper, this tyranny hath brought us to already; and if it continues, the little virtue that is yet left to stock the nation must totally extinguish; and then his highness hath compleated his work of reformation; and the truth is, till then, his highness cannot be secure. He must not endure virtue, for that will not endure him. He that will maintain tyranny must kill Brutus, says Machiavel. A tyrant, says Plato, must dispatch all virtuous persons, or he cannot be safe; so that he is brought to that unhappy necessity, either to live amongst base and wicked persons, or not to live at all.

Nor must we expect any cure from our patience: *Inzanno si gli huomini*, say Machiavel, *credendo con la humilita vincere la superbia*. Men deceive themselves that think to mollify arrogance with humility; a tyrant is never modest but when he is weak; it is in the winter of his fortune, when this serpent bites not; we must not therefore suffer ourselves to be cozened with hopes of his amendment; for, *Nemo unquam \* imperium flagitio quasitum bonis artibus exercuit*, Never did any man manage the government with justice that got it by villainy. The longer the tyrant lives, the more the tyrannical humour increases in him, says Plato, like those beasts that grow more cursed as they grow old. New occasions daily happen that necessitate them to new mischiefs; and he must defend one villainy with another.

But suppose the contrary of this, and that his highness were of *dominationis convulsus, & mutatus*, changed to the better by great fortune, of which he gives no symptoms, what, notwithstanding, could be more miserable than to have no other security for our liberty, no other law for our safety, than the will of a man, though the most just living? We have all our beast within us; and whosoever, says Aristotle, is governed by a man without a law, is governed by a man and by a beast, *‘Etiam si non sit molestus Dominus; tamen est miserrimum posse si velit,’* says Tully; ‘though a master does not tyrannise, yet it is a most miserable thing, that it is in his power to do so if he will.’ If he be good, so was Nero for five years; and how shall we be secure that he will not change? Besides the power, that is allowed to a good man, we may be sure will be claimed and taken by an ill; and therefore it hath been the custom of good princes to abridge their own power, it may be distrusting themselves, but certainly fearing their successors, to the chance of whose being virtuous, they would not hazard the welfare of their people. An unlimited power therefore is to be trusted to none, which, if it does not find a tyrant, commonly makes one; or, if one uses it modestly, it is no argument that others will; and therefore Augustus Cæsar must have no greater power given him than you would have Tiberius take. And Cicero’s moderation is to be trusted with a consideration, that there are others to be consuls as well as he.

\* Tacit. Hist. Lib. 1.

But before I press this business farther, if it needs be any farther pressed, that we should endeavour to rescue the honour, the virtue, and liberty of our nation, I shall answer to some few objections that have occurred to me. This I shall do very briefly.

Some I find of a strange opinion, that it were a generous and a noble action to kill his highness in the field; but to do it privately they think it unlawful, but know not why; as if it were not generous to apprehend a thief till his sword were drawn, and he in a posture to defend himself and kill me. But these people do not consider that whosoever is possessed of power, any time, will be sure to engage so many either in guilt, or profit, or both, that to go about to throw him out, by open force, will very much hazard the total ruin of the commonwealth. A tyrant is a devil, that tears the body in the exorcising, and they are all of Caligula's temper, that if they could, they would have the whole frame of nature fall with them. It is an opinion that deserves no other refutation than the manifest absurdity of itself; that it should be lawful for me to destroy a tyrant with hazard, blood, and confusion, but not without.

Another objection, and more common, is the fear of what may succeed, if his highness were removed. One would think the world were bewitched. I am fallen into a ditch where I shall certainly perish if I lie; but I refuse to be helped out for fear of falling into another. I suffer a certain misery for fear of a contingent one, and let the disease kill me, because there is a hazard in the cure. Is not this that ridiculous policy, *ne moriatur, mori*, to die for fear of dying? Sure it is frenzy not to desire a change, when we are sure we cannot be worse: *et non incurrere in pericula, ubi quies centi paria metuentur*\*; and not then to hazard, when the danger and the mischiefs are the same in lying still.

Hitherto I have spoken in general to all Englishmen. Now I address my discourse particularly to those that certainly best deserve that name, ourselves, that have fought, however unfortunately for our liberties, under this tyrant; and in the end, cozened by his oaths and tears, have purchased nothing but our slavery with the price of our blood. To us particularly it belongs to bring this monster to justice, whom he hath made the instruments of his villainy, and sharers in the curse and detestation that is due to himself from all good men; others only have their liberty to vindicate, we our liberty and our honour. We engaged to the people with him, and to the people for him, and from our hands they may justly expect a satisfaction of punishment, seeing they cannot have that of performance. What the people at present endure, and posterity shall suffer, will be all laid at our doors; for only we, under God, have the power to pull down this Dragon which we have set up; and, if we do it not, all mankind will repute us approvers of all the villainies he hath done, and authors of all to come. Shall we that would not endure a king attempting tyranny, shall we suffer a professed tyrant? we that

\* Seneca.

resisted the lion assailing us, shall we submit to the wolf tearing us? If there be no remedy to be found, we have great reason to exclaim, '*Utinam te potius, Carole, retinuissemus quam hunc habuissemus, non quod ulla sit optanda servitus, sed quod ex dignitate dominus minus turpis est conditio servi.*' We wish we had rather endured thee, O Charles, than have been condemned to this mean tyrant; not that we desire any kind of slavery, but that the quality of the master something graces the condition of the slave.'

But if we consider it rightly, what our duty, our engagements, and our honour exact from us, both our safety and our interest oblige us to; and it is as unanswerable, in us, to discretion as it is to virtue, to let this viper live; for first, he knows very well it is only we that have the power to hurt him, and therefore of us he will take any course to secure himself; he is conscious to himself how falsely and perfidiously he hath dealt with us; and therefore he will always fear that from our revenge, which he knows he hath so well deserved.

Lastly, He knows our principles, how directly contrary they are to that arbitrary power he must govern by, and therefore he may reasonably suspect, that we that have already ventured our lives against tyranny, will always have the will, when we have the opportunity to do the same again.

These considerations will easily persuade him to secure himself of us, if we prevent him not, and secure ourselves of him. He reads in his practice of piety, '*chi dice bene patron, &c.*' 'He that makes himself master of a city, that hath been accustomed to liberty, if he destroys it not, he must expect to be destroyed by it.' And we may read too in the same author, and believe him, that those that are the occasion that one becomes powerful, he always ruins them, if they want the wit and courage to secure themselves.

Now, as to our interest, we must never expect that he will ever trust those that he hath provoked, and fears; he will be sure to keep us down, lest we should pluck down him. 'Tis the rule that tyrants observe when they are in power, never to make much use of those that helped them to it. And indeed it is their interest and security not to do it; for those that have been the authors of their greatness, being conscious of their own merit, they are bold with the tyrant, and less industrious to please him; they think all he can do for them is their due, and still they expect more; and, when they fail in their expectations (as it is impossible to satisfy them) their disappointments make them discontented, and their discontents dangerous. Therefore all tyrants follow the example of Dionysius, who was said to use his friends as he did his bottles: when he had use for them, he kept them by him; when he had none, that they should not trouble him and lie in his way, he hung them up.

But to conclude this already over-long paper, let every man, to whom God hath given the spirit of wisdom and courage, be persuaded by his honour, his safety, his own good and his country's, and indeed

the duty he owes to his generation, and to mankind, to endeavour, by all rational means, to free the world of this pest. Let not other nations have the occasion to think so meanly of us, as if we resolved to sit still and have our ears bored, or that any discouragements or disappointments can ever make us desist from attempting our liberty, till we have purchased it, either by this monster's death, or by our own. Our nation is not yet so barren of virtue, that we want noble examples to follow amongst ourselves. The brave Sindercomb hath shewed as great a mind as any old Rome could boast of; and, had he lived there, his name had been registered with Brutus and Cato, and he had had his statues as well as they.

But I will not have so sinister an opinion of ourselves (as little generosity of slavery hath left us) as to think so great a virtue can want its monuments even amongst us. Certainly in every virtuous mind there are statues reared to Sindercomb. Whenever we read the eulogies of those that have died for their country; when we admire those great examples of magnanimity, that have tired tyrant's cruelties; when we extol their constancy, whom neither bribes nor terrors could make betray their friends; it is then we erect Sindercomb statues, and engrave him monuments; where all that can be said of a great and noble mind, we justly make an epitaph for him; and, though the tyrant caused him to be smothered, lest the people should hinder an open murder, yet he will never be able either to smother his memory, or his own villainy. His poison was but a poor and common device to impose only on those that understood not tyrants practices, and are unacquainted, if any be, with his cruelties and falsehoods. He may therefore, if he please, take away the stake from Sindercomb's grave, and, if he have a mind it should be known how he died, let him send thither the pillows and feather beds with which Barkstead and his hangman smothered him. But to conclude, let not this monster think himself the more secure that he hath suppressed one great spirit; \* he may be confident that *Longus post illum sequitur ordo idem petentium decus*.

There is a great roll behind, even of those that are in his own muster-rolls, and are ambitious of the name of the deliverers of their country; and they know what the action is that will purchase it. His bed, his table, is not secure, and he stands in need of other guards to defend him against his own. Death and destruction pursue him where-ever he goes; they follow him every where, like his fellow travellers, and at last they will come upon him like armed men: 'Darkness is hid in his secret places, a fire not blown shall consume him; it shall go ill with him that is left in his tabernacle. He shall flee from the iron weapon, and a bow of steel shall strike him through; because he hath oppressed and forsaken the poor; because he hath violently taken away the house which he builded not; We may be confident, and so may he, that e're long all this shall be accomplished: 'For the triumphing of the wicked is short, and the

\* And what may Cecil and Toop expect for their treachery and perjury!

'joy of the hypocrite but for a moment. Though *his Excellency* \*,  
' mount up to the heavens, and his head reacheth unto the clouds, yet  
' he shall perish like his own dung. They that have seen him shall  
' say, where is he?'

POSTSCRIPT.

*Courteous Reader,*

EXPECT another sheet or two of paper of this subject, if I escape  
the tyrant's hands, although he gets (in the interim) the crown upon  
his head; which he hath, underhand, put his confederates on to pe-  
tition his acceptance thereof.



THE

LORD CHANCELLOR'S

DISCOVERY AND CONFESSION,

*Made in the Time of his Sickness in the Tower.*

WITH ALLOWANCE.

London, printed for R. Lee, without Bishopsgate, 1689. Folio,  
containing two pages.

THE dreadful apprehension of a future being, to a soul so ill  
prepared, and the terrors of conscience under the visitation of heaven,  
are of that sad weight, that no thought can imagine, but his that  
groans under it. When I turn my eyes inward, I can look upon  
myself, as no other than the unhappiest of men, loaded with infamy,  
misery, imprisonment, and almost despair, but, above all, with the  
universal hatred of a kingdom; so universal, that I stand the very  
center of shame, whilst every tongue that reviles, each eye that loaths,  
and every finger that points, seems to terminate in miserable me.  
Such is my hard fate, and such my serious reflexions, that I believe,  
had my faults been ten-fold greater than they are, it was impossible  
for me to disoblige mankind, in all my exalted glory, but half so  
much as I have pleased them in my fall: So naturally lovely, in the  
English eyes, does the distress and ruin of tottering greatness look,  
where they seem but just.

But all these accumulated calamities are but my lightest burthen;  
for, alas! how justly, and more sadly mad, I cry out with falling  
Wolsey, 'Had I served my God with half that zeal I served my  
' king, he would not have left me thus wretched.' Wretched  
indeed! when my weakness of body calls me to consider, how  
near I may stand to that tribunal, before which the proudest of

\* He hath now left that title for Highness, and will shortly leave that for King.



earthly judges, potentates, and princes tremble. The summons from that terrible judge is such an alarm, that what would I do, if possible, to soften that almighty justice, that stands armed against me? Could the confession of my crimes make the least part of their atonement, how happy should I think myself in unbosoming my whole soul, even to my secretest and minutest thoughts? The sense of which makes me borrow from my pains these few favourable, though distracted minutes; to use that candour and openness, before I leave the world, that may reconcile it, if possible, amongst all its odium and aversion, to, at least, one charitable thought of me.

But, alas! before I come to the sad narrative of those numerous ills I have committed; before I launch down into that deep torrent, my aching heart and sad remembrance lead me up to the fatal fountain-head, from whence they took their rise; and there, to my confusion, I am forced to acknowledge, my crimes are scarce so black, as the polluted source they sprung from. For, whereas ambition, interest, honours, those smiling court-beams, the common *ignes fatui*, are those gaudier snares, that mislead the wandering steps of other offending statesmen; I cannot but shamefully confess, that a viler and sottier coal, rancour and malice, warped me crooked.

The two famous occasions of my rising spleen, and bitterness of spirit, proceeded from the parliament's bringing me upon my knees for my abhorring of petitions; and, next, the City of London's turning me out of my recordership.

The anger, the rage, the spight I conceived at this double disgrace and affront, was the first accursed gall that poisoned me; a resentment that struck me so deep, and so cankered every faculty of my soul, that what is it I did not study, contrive, and plot to be revenged? I profess, in the agony of my thought, I was a hundred times not only thinking, but resolving, if no other means, to turn wizard, to wreak my malice upon my enemies, had my small belief (heaven forgive me) of either a God or a devil, persuaded me there was any such creature as a witch, or such an art as sorcery.

As for that damned town of London, not Cataline, against Old Rome, was half so sworn a foe, as I, against that insolent proud city. Really and sincerely, I could willingly and heartily, out of my own pocket, though I sold my last rag in the world, have been myself at the charge of a new monument, so I had had but the pleasure of a second same occasion of building it. Nay, verily, I envied the fate of the old Erostratus, and that more modern worthy, Hubart; and could have wished my own name, though at the price of his destiny, engraven in the very room of that wisely rased-out inscription, on so glorious occasion.

It was then, alas! edged and enraged with a mortal hate, and an avowed vengeance against that accursed and detested city, and more detested parliaments, with two such meritorious qualifications. I applied myself to the once great Coleman's greater master, at that time an early, and indeed almost governing pilot at the helm; both infallible recommendations to entitle me to the highest hopes of the

most exalted honours. In short, I entered, listed, and swore myself engineer general under that leading hero's banners; and how hugged, and how embraced, my succeeding almost deluge of good fortune, glories, and preferments, will sufficiently testify.

And, though the world has sometimes wondered, at so sudden a rise, as, in little more than seven years, to mount from a Finsbury petty-fogger, to a Lord High-Chancellor of England; from bawling at a hedge-court-bar for a five shillings fee, to sit equity-driver, with ten-thousand pounds *per annum*, besides presents and bribes unaccountable, honestly gotten. But, alas! to rectify the mistakes of mankind, and suppress their astonishment at so unprecedented an advance, I must assure them, that as no history affords a parallel of such a crown-favourite as myself; so no age ever yielded such a true crown-drudge neither, to deserve those favours. Alas! my darling fortune moved not half so rapid, as my dearer counsels drove; and all the caresses of my glory were thought but the poorest mead and reward of those services that gained them.

But, to recite my fatal particulars. Upon my first entrance (as I was saying) of engineer-general, our first great attack was against the charter of London; and, to the honour of my premier effort, what by our terrible dead-doing *quo warranto*, my own invented battering ram, planted against them at Westminster, and the Tower-hill guns removed, and mounted against them on the Tower battlements; we soon reduced that imperious town, to almost as intire a subjection and vassalage, as our own hearts, and our Roman friends, could wish.

Next, for these prerogative-crampers, those checkmates of crowns, called parliaments, there our triumph was absolute; we prorogued or dissolved, and danced them from pillar to post, from Westminster to Oxford, &c. at pleasure; and heaven knows, with timely, prudent, and wise care, to hush their too impudently inquisitive curiosity into our Coleman's packets, our Le Chaise and Lewis intrigues, and the rest of our Popish plots and cabals; and all, God knows, little enough to keep our cloven foot undiscovered.

Flushed with such prosperous success, even in my infant mischiefs, what was it that I either staggered or shrunk at? My temptations so allured me, my rewards so dazzled me, and my felicity so hardened me, that moderation, reluctance, or humanity, were only so many manacles and shackles, that my impatient soul threw off with disdain.

Who, alas! but I, with so much unrelenting and pitiless barbarity, triumphed in the blood of those poor miserable western wretches; and sanguined my very ermins in their gore, till even the air, with the noisomeness of their carcasses, stunk almost as much, if possible, as the very name of Jefferies their butcher? Yes, and I acted by the commissioning vengeance that sent me thither, to inform the heretick enemies of Rome, how much their blood tickles when it streams; and to let them know by the sample of my hand, how keen is a Popish edge-tool.

Was it not I too, that with so much cunning and artifice, and by so many rhetorical high-treason flourishes, wheedled poor Cornish to a gibbet, and Russel to a scaffold? Yes, and it was a master-piece! to give the trembling world a timely warning what Protestant zeal must trust to, when Popish malice is pleased to be angry; and to convince how easily can a jesuitical engine wire-draw guilt, where Popish rancour is resolved to destroy.

Who dissolved all the charters, and new-garbelled all the corporations, but Jefferies? And why, but to prepare them to understand that, what with our *quo warranto's*, and the rest of our modelling tools, we were resolved, at last, to have parliaments *a la-mode de Patee*, and their dragoon-reformers too, soon after.

Who invented that insnaring command to the bishops, of reading the declaration, and put their refusal to the stretch of high misdemeanor, if not high treason, but the chancellor? And why, think you, but to satisfy them what Romish eye sores are the Protestant lawn-sleeves; and that they shall want neither justles nor stumbling blocks to trip their heels up, and their heads off too, when they stand in our way?

Who but the great Jefferies, in defiance of the very fundamentals of human society, the original laws of nature, and to the face of *Magna Charta* itself, got the Bishop of London silenced and suspended, without so much as that universal and common right, sacred even amongst heathens and infidels, viz. the privilege of making either plea or defence, condemned, untried, and unheard? Yes, I did it; to instruct the world what feeble cobweb-lawn are the bonds of justice, law, liberty, common-right, &c. in the hands of an imperial Popish Sampson Agonistes?

Was it not I too, by my ecclesiastick, high-commission supremacy, not only against the statutes and customs of the university, but the positive laws of the land, turned Maudlin-College into a seminary of Jesuits, and, in spite of that bulwark of the Church of England, the act of uniformity, converted a collegiate chapel, into a mass-house? And by the same justice, might not every collegiate, cathedral, and parochial church have had the same conversion? And both the fountains of religion and learning, the mother universities, been deprived of all her Protestant sons, and re-peopled with the whole race of St. Omer, and Salamanca?

Who did all this? The Chancellor! yes, and he saved the Church of England, and the whole English liberty, by it. The nation was lulled into so profound a sleep, that they wanted such thunder-claps, and such a Boanerges, to awaken them from their lethargy.

With these serious reflexions, that these rapid and violent motions of the Romish cause, are, and have been the destruction of it; who has been the Protestants champion, but I? Who has pulled off the vizor from the scarlet whore, and exposed the painted Babylon prostitute, but I? And if I drove like Jehu, it was only to the confusion of a Jezabel. Who called in the deliverer of our church and laws, that second Hannibal, that mighty Nassau, but Jefferies? Who has re-mounted the sinking glory of our temples, till their

pinacles shall kiss heaven, but Jefferies? Who has united two such formidable Protestant neighbours with that eternal link of interest, as shall render us once more the arbiters of Europe, and terror of the world? Who but Jefferies, and Jefferies's conduct, has joined those naval forces, those floating walls, that shall one day mew up that French antichristian monster, till in despatch and despair, he burst his soul out at his fistula?

In fine, Who has cut off the very entail of Popery and slavery from three happy kingdoms, but Jefferies? Three kingdoms did I say? Yes, possibly has laid that foundation to the Protestant cause, as shall perhaps one day make her over-top the seven proud hills, and strike her dagger into the very gates of Rome.

With this confession of my crimes, which, under the afflicting hand of heaven, I think myself obliged to give the world, I beseech my enemies themselves so to represent my case, as that at least, 'Out of the devourer may come forth meat; and out of the strong, sweetness.' And, by balancing the services of my actions against the guilt of them, give me some small dawn of hope, that the approaching parliament, my judges, my accusers themselves, may be softened into some commiseration, and forgiveness. I assure them, if heaven spare me life to ask it, they shall want neither confession, discovery, nor contrition, to obtain their absolution. And black as I am, I beg, even my most hard-hearted adversaries, to consider, that still I am not blacker than Judas. And alas! there was some merit even in Judas; for there wanted his betraying of his God, for the saving of the world.

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## APHORISMS

### RELATING TO THE KINGDOM OF IRELAND,

Humbly submitted to the most Noble Assembly of

LORDS AND COMMONS

AT THE GREAT CONVENTION AT WESTMINSTER.

London, printed for Joseph Watts, at the Angel in St. Paul's Church-yard, 1689. Quarto, containing eight pages.

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I. **T**HAT *Ireland is part of the dominions of England, and a kingdom subordinate to it.*—This appears not only by the appeals that are made from the Chancery there, to the House of Lords here, and by writ of error from the King's Bench there to the King's Bench here; but also by the patents which often pass under the great seal of England, for lands, honours, and offices in Ireland, and

by the obligation which an English act of parliament lays on Ireland, when it is particularly named.

II. *That the Crown of England hath good title to Ireland.*—Not only by descent from Eva, daughter of Dermond Mac Morough, King of Leinster, whose ancestors were monarchs of Ireland; but also by lawful conquest in a just war, and by the repeated oaths and voluntary submissions of the Irish potentates and gentry in all ages, and by several statutes of recognition, and acts of parliament in that kingdom, and by above five-hundred years prescription.

III. *That whoever hath the Crown of England, is, ipso facto, Sovereign of Ireland; and to levy war, against such person, is treason.*—This is the natural result of the first assertion; and besides what may be collected from the statute of 11 Hen. VII. of paying obedience to the king for the time being; it was so at common law, and cannot be otherwise in reason; for there is that correlation between protection and allegiance, that they must stand and fall together, and there is no difference in this case, between Ireland and the Isle of Wight, or any other part of the dominions of the crown of England.

IV. *That the Lords and Commons of England have always been zealously concerned for, and liberally contributed to the preservation of Ireland.*—This appears by the many subsidies and other aids, they have in all ages given towards the support of that kingdom; for Ireland was always a charge to England, until the act of settlement was made: it cost this kingdom near three-hundred thousand pounds per annum for some years in Queen Elisabeth's reign; and the rebellion, in 1641, drained England of some millions of money, and of many thousands of men, and yet all this was well spent, because,

V. *Without the subjection of Ireland, England cannot flourish, and, perhaps, not subsist.*—For every harbour in Munster would be more prejudicial to the trade of England, than either Saltee or Algiers ever was, that island being so situate, that England cannot trade with Spain, the Levant, Africa, the East-Indies or the West, without sailing almost in view of the old head of Kinsale, so that England must traffick at vast disadvantage, hazard, and charge, in armed and double-manned vessels, or with great convoys. Add to this, that Ireland would be always in close league with the enemies of England, and yearly supply a vast number of able bodies to annoy it.

VI. *That Ireland was never in so much danger as it is now;*—For the confederacy was never so general before, the Irish never had such quantities of arms and ammunition, they never had the city of Dublin, they never had the whole kingdom in their possession, or under their power; and, which is more than all the rest, they never had the colour or pretence of authority before this time.

VII. *That the Protestants there, unless speedily relieved, must necessarily be ruined.*—For the Irish, having no money, cannot support their vast army, without free quarter on the English. Add to this, the decay and full stop of trade, and the many other insup-

portable difficulties they labour under, and their ruin will appear inevitable without present relief.

VIII. *That no people in the world are in so miserable a condition as the Protestants of Ireland.*—For they are not only insulted over by their own servants, and in a certain way of beggary, but are also in continual fear, and under imminent danger of being massacred.

IX. *That the English government hath been easy and favourable to the Irish.*—And this evidently appears by one slight instance, viz. That the grand jury, and the whole county of Cork, had more trouble and charge to get rid of two Irish attornies in the sheriff's court, and at last could not effect it, than the Irish have had to turn out most of the civil and military Protestant officers in that kingdom, though some of them had good patents for their places; and it is beyond dispute, that, for many years past, the Irish never wanted such friends at Whitehall, as made their affairs run glib in all courts of judicature, and elsewhere.

X. *That, nevertheless, many of the Irish, and some degenerate English, would rather live under any government than that of England.*—And this happens partly from the difference of humours, manners, and customs between them and us, and partly, because they look up on the first conquest of Ireland, and the subsequent confiscations to be injurious, and think a foreigner would restore them; but chiefly this aversion is to be attributed to the difference in religion, they conceiving us to be obstinate incorrigible hereticks, and therefore they have often invited the Pope, French, and Spaniard, to accept of the government of that kingdom.

XI. *That ten-thousand English, well furnished and conducted, never were, nor never can be beaten by the Irish in that kingdom.*—The first assertion is true, and the second is rational; for, allowing the Irish gentry to be brave enough, yet the commoners have not courage or skill equal to the English, or near it; nor can the Irish keep more than ten or twelve-thousand men together any long time, for want of forage and other necessities.

XII. *However, less than fifteen, or perhaps twenty-thousand men, ought not now to attempt Ireland;*—because it will be necessary to make descents in several places; and, when garisons, and other necessary detachments, are deducted, there will not remain above ten or twelve-thousand for the field.

XIII. *If these twenty-thousand were divided into three bodies, in all probability there would be none, or very weak and short resistance.*—For if four-thousand landed in Ulster, six-thousand in Munster, and ten-thousand in the heart of the kingdom, the Irish would be distracted, and not know where to turn; for they have neither officers nor soldiers capable to make three distinct armies; experience will manifest, that, in that case, finding themselves at, tacked on all sides, Tyrconnel would retire to Athlone, and thence to Galway, and, in the first ship he could get, shift for himself as well as he could.

XIV. *However, reasonable conditions should not be denied them, if they will submit quietly.*—For, besides that it may prevent much

mischiefs, and save the effusion of Christian blood, it is unchristian to force them to desperation; they should have indemnity for what is past, and a connivance at the private exercise of their religion, by a competent number of priests, for the future. This offer justifies our moderation, and, if refused, leaves them without excuse.

XV. *Whatever conditions are offered them, will be rejected or postponed, unless backed with a sufficient force.*—For they are in hopes of aid from France, and have very little foresight of what is future. It is not unusual amongst them, to defy one day what they tremble at the next. It has been always a principal maxim in their politics, to procrastinate and delay their submission, in hopes of imaginary succours, until they plunged themselves sometimes into a sea of misery, and it looks as if their destiny inclines that way now.

XVI. *That the Irish estates are sufficient to defray the charge of reducing them to their duty.*—For of ten millions of plantation-acres of land, which there are in Ireland, the Irish have a fourth part, which, to be purchased, is worth three millions of pounds.

XVII. *That the Protestants are already damnified to that value, and in three months more will suffer as much again.*—For, besides the interruption in trade and business, bad debts, and the particular wrongs and injuries done them, the losses of those that were forced to fly to England and elsewhere, the very land is one third part lessened in the yearly value; and the two thirds remaining are not worth so many years purchase by a third part, as they were anno 1684. For example, three-hundred per annum, at twelve years purchase, being three-thousand six-hundred pounds, is now but two-hundred pounds, at eight years purchase, which is one-thousand six-hundred pounds.

XVIII. *The Protestants of Ireland had been eternally ruined, if it were not for the glorious achievements of the Prince of Orange.*—For, if they are in so ill condition at this day, in what case would they have been, if France had leisure and means to assist the Irish, and England (in a civil war) not able to relieve the Protestants there?

XIX. *The policy and true scheme of government was totally overturned in Ireland.*—For where reason and the interest of England required, that the English colony should be protected by an English army; and whereas a Protestant parliament in Ireland had raised a great revenue to the crown, mostly paid by Protestants, in order to maintain a Protestant army, on the quite contrary, that army was disbanded, with circumstances as bad as the fact, and Papists introduced to guard us against themselves; and Irish brought to garison within those walls, that were purposely built to keep them out.

XX. *The law was likewise subverted.*—For the force and energy of the law being resolved into trials by jury, when the judge, sheriff, jury, witness and party were all of a piece, and that in a country where perjury is so frequent, that Irish evidence is become proverbially scandalous, what could an English Protestant expect, but that many notorious murders should pass unpunished,

many forged deeds should be trumped up, and many hundreds of English indicted, drawn in question, and prosecuted, without so much as a probability, or colour of truth?

XXI. *These injuries would have been perpetuated and legitimated, and our religion and nation destroyed there by law.*—For they dissolved all corporations, on forged or frivolous pretences, and in so precipitate a manner, that they did not give competent time to draw, much less to review the pleadings. They projected to call the eldest sons of Popish noblemen by writ, and so made themselves sure of both houses of an Irish parliament.

XXII. *That the disbanded Protestant officers deserve, and are fit to be employed in the recovery of Ireland.*—They deserve it, and all the countenance that can be shewn them, because they have suffered much (and few people consider how much) merely for their religion and country. And they are fit, because they are acquainted with the country, the climate, and the inhabitants, and are, beyond objection, zealous in this cause.

XXIII. *That the prince wants neither courage, conduct, reputation, or zeal.*—His attempt in England manifested his courage, his success demonstrated his conduct, and confirmed his reputation; and, for the rest, the same motives, that induced him to come hither, are still in being, and will prevail to advance his victorious arms to Ireland.

XXIV. *There is nothing wanting but a settled legal authority and money.*—For, though necessity justifies *pro hac vice*, yet our law knows no authority but what is regal; without that there can be no parliament, nor indeed no obligation to obedience (or at most but temporary.) And as for money, though it is impossible to make a general tax seasonably for the relief of Ireland, yet, perhaps a good vote of espousing the Irish concern may give credit to raise a fund, for a service so necessary and beneficial to England.

XXV. *The army will be in more danger of famine than sword.*—For, besides that the enemy will destroy and burn all he can, there is not in the country provision enough for both armies, and therefore great magazines must be erected at Chester, Bristol, Milford, &c. how much money soever it may cost.

XXVI. *All private undertakings, in this matter of Ireland, are vain.*—For no one body is able to do much, and confederacies and partnerships are lame and uncertain, because the failure of any one spoils all. Nor did any private undertaker of publick affairs ever succeed in Ireland; witness Sir Thomas Smith's project in the Ardes, and Walter Earl of Essex's in Clondeboy and the Fenny.

XXVII. *That whoever takes commission here, to raise men in Ireland, does that country a great deal of wrong.*—For either he takes some poor dispirited people, or such farmers, labourers, or tradesmen, as would be more useful in their vocation; or he takes others, that would, of their own accord, and without pay in the militia, or otherwise, fight for their lives, families, and estates; every way he robs the country of people, and hinders those that else would be raised here, and go from hence; and he makes the government



depend on a broken reed, for it is impossible any men should be raised and accounted there time enough to do service, and fit to do it.

Lastly, *Though the Irish submit, yet Ireland will need a considerable English army.*—For that kingdom is much depopulated, and there will be danger of some French attempt. But, besides all this, he knows little of Ireland, who thinks that the Irish army (when disbanded) will ever be brought to work for their living. On the contrary, many of them will turn tories; so that, if there be not a good army in the kingdom, it will be as unsafe and troublesome as in time of war.

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### A TRUE COPY OF A LETTER

FROM THE

RIGHT HON. THE EARL OF MULGRAVE,  
TO DR. TILLOTSON, DEAN OF CANTERBURY.

Folio, containing four Pages.

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SIR,

**N**OTHING in this world is, or ought to be so dear to any man, as his reputation; and consequently the defence of it is the greatest obligation that one man can lay on another. There are also some circumstances, that render this obligation yet more acceptable and valuable; as when it is conferred generously, without any self-interest, or the least desire or invitation from the person so defended. All this happens to be my case at this time; and therefore, I hope, you will not be surprised to find I am not the most ungrateful and insensible man living; which certainly I should be, if I did not acknowledge all your industrious concern for me, about the business of the ecclesiastical commission, which now makes so much noise in the world. You have, as I am told, so cordially pleaded my cause, that it is almost become your own; and therefore, as unwilling as I am to speak of myself, especially in a business which I cannot wholly excuse; yet I think myself now a little obliged to shew my part in this matter; though imprudent enough, yet is not altogether unworthy of so just and so considerable an advocate.

The less a man says of himself, the better; and it is so well known already, how I was kept out of all the secret councils, that I need not justify myself, or trouble you, as to those matters; only I appeal to the unquestionable testimony of the Spanish ambassador, if I did not zealously and constantly take all occasions to oppose the French interest; because I knew it directly opposite both to the king

and kingdom's good, which are indeed things inseparable, and ought to be so accounted, as a fundamental maxim in all councils of princes.

This, I hope, will prepare the way a little for what I have to say concerning my being one of the ecclesiastical commissioners; of which error I am now as sensible, as I was at first ignorant, being so unhappily conversant in the midst of a perpetual court-flattery, as never to have heard the least word of any illegality in that commission, before I was unfortunately engaged in it.

For, though my lord of Canterbury had very prudently refused to be of it, yet it was talked at court, it proceeded only from his unwillingness to act at that time, and not from any illegality he suspected in the commission: having excused himself from it the most respectful way, by the infirmities he lay under. Being thus ignorant of the laws, and in such a station at court, I need not desire a man of your judgment and candour, to consider the hardness of my case, when I was commanded to serve in a commission with a lord chancellor, a lord chief justice, and two bishops, who had all of them already acted some time there, without shewing the least diffidence of their power, or hesitation in the execution of it. And, perhaps, a man, of more discretion than I can pretend to, might have been easily persuaded to act in such a conjunction, and to think he might do it safely, both in law and conscience. But I need not say much to shew my desire to have avoided, if possible, a troublesome employment, that had not the least temptation of honour or profit to recommend it; and which therefore I continued in upon no account in the world, but to serve both king and clergy with the little ability I had, in moderating those councils, which I thought might grow higher, if I left my place to be filled by any of those who waited for it greedily, in order to their ill designs.

And I may expect the more credit in this, when it is considered that the two important affairs which passed in that ecclesiastical court, being the Bishop of London's suspension, and the incapacitating the members of Magdalen College; the first was done some months before I was a commissioner, and I opposed the last, both in voting and speaking, and with all the interest I was able to make use of, which indeed was but little after that opposition; in which being out voted, I seldom came, and never acted in that court after, except to restore the bishop of London, though sent for continually, by reason of my lodging so near it.

And, since I have been forced to mention my good will at least, if not my service, to such learned men of the clergy who I thought deserved it, it may be allowed me to give this one instance more of it; that, although in preferring men to all other places of the household, I ever used to ask permission first, and, accordingly, was often refused, for the sake of Roman Catholics, and others, who were recommended by persons more in favour than myself; yet I was so careful of keeping that considerable part of the family unmixed with mean or unworthy chaplains, whom others, I feared, would have imposed on his majesty, that I constantly filled up those vacancies, without giving him the least notice or trouble about it, and sup-

plied them with the ablest approved divines I could possibly find, most commonly recommended to me by the bishops who were not of the court: Which I conceived the most proper course, in a matter concerning clergymen, with a king of a different persuasion from theirs, and intended for his real service, believing it had been better for him, as well as the kingdom, if the greater ecclesiastical dignities had been disposed of by others with as much caution.

And thus, Sir, I have endeavoured to confirm you in your favourable opinion of me, which must be acknowledged by every body an approbation of such weight, that, as I hope it may be an example of authority to many, so it is sufficient of itself to balance the censoriousness of others.

I am, SIR,  
Your obliged humble Servant,  
MULGRAVE.

*White-Hall,  
March 27, 1689.*

## A SPEECH

OF A

## FELLOW-COMMONER OF ENGLAND,

TO HIS

## FELLOW-COMMONERS OF THE CONVENTION.

Printed in the year 1689. Quarto, containing eight pages.

MR. SPEAKER,

**T**HE present providence deserves our most serious thoughts; and truly, Sir, I cannot but say, that we are extremely obliged to the great goodness and valour of the Prince of Orange, who, with such hazard and expence, has brought us so seasonable and eminent a deliverance from Popery, and, I hope, from arbitrary power also. Sir, we cannot give him too much, unless we give him more than our own (the crown I mean); we have been of a long time taught, that is not the gift or work of subjects. Sovereign princes have made bold with one another, but I am of opinion, whatever malice may suggest against his highness, he was too noble a soul to be guilty of such an attempt. He came not hither for greatness; he has it of his own, and brought it with him, and values being Optimus more than Maximus, which is the best way of joining that imperial stile together Optimus Maximus. I say, I am confident it is more than he will judge proper to receive, and that he will think it more for his glory to reduce the monarchy to its just and legal establishment, than to be king himself, and to secure us against Popery, than to lead us into the errors of it,

of which the most pestilentious are deposing princes, and breaking faith with hereticks.

Mr. Speaker, the prince is too great a disciple both of religion and honour, not to be satisfied with our doing what is agreeable to them ; and let us not press him out of his own sentiments, which have been the greatest and most heroick, that have appeared in this latter age of the world, lest, whilst we have taken arms to redress grievances, we do not draw greater upon ourselves, and that as well from abroad as at home.

For, Sir, when we believe Catholick princes to have zeal so unseasonably fierce, and unsafe to other people, we cannot at the same time think they will tamely suffer a Catholick king to be kept out of his kingdom, for little more than being so ; and I am afraid that this procedure may precipitate Ireland unto extremities ; and, if it should follow the king to France, all sober sensible men know, of what ill consequence a revolt to that crown may be to this kingdom. We shall then, instead of invading France, find difficulties to preserve our own country ; nor, for what I see, are we sure of being at peace here. The tide is mightily abated since the king's going from Rochester ; those, that wished his humiliation in the government, will by no means hear of his exclusion and perdition, from the crown ; they either believe the fault none of his, or not of weight enough to justify so extraordinary an example ; kings must see and hear by the eyes and ears of others, which makes it their misfortune, rather than their crime, that they do amiss. We are also of a church that has been singular for her honour and deference to kings, and, if we have any for her, we ought to tread tenderly in this point ; and, that we may be just, two things compel us to it for our own sake.

The first is, that the most of things that made the king's government so obnoxious have already been done in this. We have had a dispensing power exercised both at Exeter and at London ; we have had free quarter constrained almost in all places where the Dutch army has marched ; we have, in great part, a Popish army too, though that was one of the most crying offences we objected to the king, and from which we drew the most popular notions of our insecurity ; the very money, that is now receiving, was asked with armies on foot, and all men will conclude, there was no refusing a proposal so seconded ; and, how far our famous petition of right may be concerned in this, the gentlemen of the law must determine. But, I dare say, this very loan could not escape this censure under a lawful prince ; and, under our present circumstances, we cannot reasonably think the case better.

Nor is this all. The second reason of our caution is, the little truth, that at last appears in those many stories, that, above any charge, seemed to alienate the hearts of his subjects from his majesty, and to dissolve that tie of affection and duty they had to him, as his subjects. Such as, the alarms we had here of a French invasion ; the king's selling the kingdom for five millions sterling ; the Irish killing man, woman, and child upon the roads ; the French embarked

for the west, but met and sunk by the Dutch; the forty-thousand new-fashioned knives of slaughter; the queen's back-door for bringing to bed a supposititious child; her cuffing the Earl of Craven and the Princess Anne, with forty more of that stamp, which time hath proved as malicious as false; how much they have influenced to this present great change, is not unworthy of our just thoughts and answer, and, in my opinion, it calls upon us as loudly for a speedy reparation.

Mr. Speaker, these are the things that have driven the king out of England; and, if it can be proved that the Prince of Wales is an impostor, and that there was a league with France to cut off Protestants, I think nothing has befallen him, too hard measure for him. But, truly Sir, it is upon no other terms that the people of England will part with their king, or with any patience think of the usage he has got upon that supposition. But it is objected that some of those that were in arms are in apprehension, lest their estates and lives should be at the mercy of the king, in case he returns. I think that the king will be so far from expecting, and the nation from yielding to it, that they must not only be all pardoned, but those lords and gentlemen, that have been the noble assertors of our English liberties at this juncture, must be posted in the greatest places of honour and trust. I hope the king himself will see it his interest to leave off little and parasitical favourites, and be willing, that such be employed in all his affairs, as his people can confide in, and, as will use their preferments for the honour of their prince, and the good of his subjects.

Mr. Speaker, the objection against the king's return, upon the account of having deserted his kingdoms, by going into France, I am astonished at it, since it is plain, he did not voluntarily desert us, as the Queen of Sweden did her kingdom, but was attacked from abroad, and deserted at home: Consequently, Sir, that cannot be in good morality, as well as law, a demise, forfeiture, surrender, or abdication of the crown of England.

Mr. Speaker, I fear, that, if I have not tired your patience, I have been, at least, ordinary long for some members of a contrary judgment, who sit in this convention, and, therefore, I shall add this humble caution, that our convention; consider well their power, which, I do conceive, is too scanty to make a new king, though it may call home that to whom we have most, if not all of us, sworn allegiance. Nay, let me say further, if our case were so desperate, that no remedy would serve but creating a new king, our convention has not enough of our fellow subjects for the rest to be concluded by. When things are transacted, according to the known laws and ancient customs, the usual deputies may deliver and state the intentions of the people; but, when so many and great alterations must be made in the building, that is to be for the common convenience, every man thinketh himself worthy to be consulted, as well as the greatest architect, when he is to dwell in the house. Parliaments, that are called by kings, cannot make kings, and a convention not called by a king, and as narrow-bottomed as a parliament, is yet less nor a par-

liament, because it wants the sanction, a parliament has; if then it seems a solecism, that a meeting, less than a parliament, can make a king, without whom a parliament cannot be, what shall we think of this convention's making a king of him that makes the convention? Can you act lawfully upon an unlawful call, or an unlawful convention make him a lawful king? We are taught an English proverb, 'That no stream rises higher than its fountain.' How is it possible for them to give authority to govern that have none, but what they receive from him, who, by our law, can have none, to give? Sir, this is neither more nor less than for his highness to make himself king by a medium of his own, a thing as much below him to do, as it is above us to think of; therefore, if we must go to this work, let us call in more heads to our assistance; but I rather advise, and humbly move, that we pray the prince, who has been our deliverer, to be our arbitrator, to give limits to prerogative and our liberty, to secure us that are the Protestant subjects in our religion, and to shew the king what sort of liberty he only ought to expect for his Roman Catholick subjects; I say, let us beseech him to call back the king for these great ends, the accomplishing of which will make both king and kingdom happy, and the great Prince of Orange renowned in all the histories of Europe, as well as in our annals.

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## A TREATISE OF MONARCHY \*,

### CONTAINING TWO PARTS:

- I. Concerning Monarchy in General.
- II. Concerning this Particular Monarchy.

Wherein all the main Questions, occurrent in both, are stated, disputed, and determined. Done by an earnest desirer of his Country's Peace. London, printed for, and sold by Richard Baldwin, in the Old-Bailey. 1689. Quarto, containing thirty-eight pages.

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#### PART I. CHAP. 1.

*Of Political Government, and its Distinction into several Kinds.*

##### SECT. I.

*Authority, how far from God, how far from Men.*

**G**OVERNMENT and Subjection are relatives, so that what is said of the one may in proportion be said of the other: which being so, it will be needless to treat of both: because it will be easy to apply what is spoken of the one to the other. Government is *Potestatis exercitium*, the exercise of a moral power. One of these is the

\* Vide the 560th article in the catalogue of Pamphlets in the Harleian Library.

root and measure of the other; which, if it exceed, is exorbitant; is not government, but a transgression of it. This power and government is differenced with respect to the governed, to wit, a family, which is called oeconomical; or a publick society, which is called political, or magistracy. Concerning this magistracy we will treat, 1. In general. 2. Of the principal kind of it. In general concerning magistracy, there are two things about which I find difficulty and difference, viz. the original, and the end.

First, for the original: there seem to be two extreams in opinion; while some amplify the divinity thereof, others speak so slightly of it, as if there were little else but humane institution in it. I will briefly lay down my apprehensions of the evident truth in this point; and it may be, things being clearly and distinctly set down; there will be no real ground for contrariety in this matter. Three things herein must necessarily be distinguished, viz. 1. The constitution or power of magistracy in general. 2. The limitation of it to this or that kind. 3. The determination of it to this or that individual person or line.

For the first of these; 1. It is God's express ordinance, that, in the societies of mankind, there should be a magistracy or government. At first, when there were but two, God ordained it, Gen. iii. 16. St. Paul affirms as much of the powers that be, none excepted, Rom. xiii. 1. 2. This power, wherever placed, ought to be respected as a participation of divine sovereignty. Psal. lxxxii. 1, 6. and every soul ought to be subject to it for the Lord's sake, 1 Pet. ii. 13. that is, for conscience sake of God's ordinance, Rom. xiii. 5. and under penalty of damnation, ver. 2. These are truths, against which there is no colour of opposition. Indeed, this power may be claimed by them who have it not; and, where there is a limitation of this power, subjection may be claimed in cases which are without those limits. But, to this ordinance of power where it is, and when it requires subjection, it must be given, as before.

For the second; 1. In some particular communities, the limitation of it to this or that kind, is an immediate ordinance of God: So kingly power was appointed to the Jews on their desire, 1 Sam. viii. 9. Whether they had not a kind of monarchical government before, I will not stand on it; but it is evident, that then, on their earnest desire, God himself condescended to an establishment of regality in that state. 2. But, for a general binding ordinance, God hath given no word, either to command or commend one kind above another: Men may, according to their relations to the form they live under, to their affections and judgments in divers respects, prefer this or that form above the rest; but we have no divine limitation; and it were an absurdity to think so; for then we should uncharitably condemn all the communities which have not that form, for violation of God's ordinance, and pronounce those other powers unlawful. 3. This then must have another and lower fountain to flow from, which can be no other than human. The higher power is God's ordinance: That it resideth in one, or more; in such or such a way, is

from human designment; for, when God leaves a matter indifferent, the restriction of this indifferency is left to secondary causes. And I conceive this is St. Peter's meaning, when he calls magistracy *ad personam*, human creature; St. Paul calls it, God's ordinance, because the power is God's; St. Peter calls it human ordinance, because the specification of it to this or that form, is, from the societies of mankind. I confess it may be called a human creature, in regard of its subject, which is a man or men; or its end, which is to rule over men for the good of men: but the other seems more natural; and it induces no disparagement to authority, being so understood. But, however you take that place, yet the thing affirmed stands good, that God, by no word, binds any people to this or that form, till, they, by their own act, bind themselves.

For the third: The same is to be said of it as of the second. Some particular men we find whom God was pleased, by his own immediate choice, to invest with this his ordinance of authority: Moses, Saul, David, yea, God, by his immediate ordinance, determined the government of that people to David's posterity, and made it successive; so that that people, after his appointment and word was made known to them, and the room void by Saul's death was as immediately bound by divine law to have David, and his sons after him, to be magistrates, as to magistracy itself. But God hath not done so for every people; *a scriptum est* cannot be alledged for the endowing this or that person or stock with sovereignty over a community. They alone had the privilege of an extraordinary word. All others have the ordinary and mediate hand of God to throne them. They attain this determination of authority to their persons, by the tacit and virtual, or else express and formal consent of that society of men they govern, either in their own persons, or the root of their succession, as I doubt not in the sequel it will be made appear. But let no man think that it is any lessening or weakening of God's ordinances in them to teach that it is annexed to their persons by a human mean; for though it be not so full a title to come to it by the simple providence of God, as by the express precept of God; yet, when by the disposing hand of God's providence a right is conveyed to a person or family by the means of a publick fundamental oath, contract, and agreement of a state, it is equivalent then to a divine word; and, within the bounds of that publick agreement, the conveyed power is as obligatory as if an immediate word had designed it. Thus it appears that they which say there is *divinum quiddam* in sovereigns, and that they have their power from God, speak, in some sense, truth; as also they which say, that originally power is in the people, may in a sound sense be understood. And in these things we have Dr. Fern's consent, in his late discourse upon this subject. Sect. 3.

## SECT. II.

*Whether the end of Government be the People's good.*

FOR the end of magistracy: to set out that is no hard matter, if we consider what was looked at when God ordained it. That was the



good of the society of men over which it is set: So St. Paul, Rom. xiii. 4. *οτι ις το αγαθον*. God aimed at it in the institution of government; and so do all men in the choice of it, where they may be choosers: such a government, and such persons to sway it, as may most conduce to publick weal. Also it is the measure of all the acts of the governor; and he is good or bad according as he uses his power to the good of the state wherewith he is intrusted. That is the end, but not the sole end; the preservation of the power and honour of the governor is an end too; but I think not co-ordinate, but subordinate to the other, because, doubtless, in the constitution of government, that is first thought on, and this in congruity to that. Also the reason why the power and honour of the magistrate must be preserved, is for the publick society's sake, because its welfare depends thereon: And if it fall out that one of them must suffer, every good magistrate will descend something from his greatness, be it for the good of the community. On the other side, though every subject ought, for the honour and good of the magistrate, to give up his private; yet none ought to advance the greatness of his sovereign with the publick detriment. Whence, in my apprehension, the end of magistracy is the good of the whole body, head and members conjunctly; but, if we speak *divisim*, then the good of the society is the ultimate end; and next to that, as conducent to that, the governor's greatness and prerogative. And herein also accordeth Dr. Fern with us, sect. 3, where he says, that the people are the end of the governing power. There is another question of mainer concernment here, in our general discourse of authority, fitly to be handled, viz. How far subjection is due to it? But, because it hath a great dependence on the kinds and states of power, and cannot be so well conceived without the precognition thereof, I will refer it to after opportunities.

### SECT. III.

#### *Division of Magistracy.*

For the division of this power of magistracy: It cannot be well divided into several species; for it is one simple thing, an indivisible beam of divine perfection; yet, for our more distinct conceiving thereof, men have framed several distinctions of it. So, with respect of its measure, it is absolute or limited. In respect of its manner, it is, as St. Peter divides it, supreme or subordinate. In respect of its mean of acquiring, it is elective or successive; for I conceive that of conquest and prescription of usage are reducible to one of these, as will appear afterwards. In respect of its degrees, it is nomothetical or architectonical, and gubernative or executive. And, in respect of the subject of its residence, there is an ancient and usual distinction of it into monarchical, aristocratical, and democratical. These are either simple or mixed, of two, or all three together, of which the predominant gives the denomination. These are not accurate specificative divisions of power, for it admits none such, but partitions of it, according to divers respects. The course of my

Intention directs me to speak only of monarchical power, which is the chief and most usual form of government in the world, the other two being apt to resolve into this, but this not so apt to dissolve into them.

## CHAP. II.

*Of the division of Monarchy into Absolute and Limited.*

## SECT. I.

*Whether Absolute Monarchy be a lawful government.*

Now we must know that most of these distinctions, which were applied to power in general, are applicable to monarchy; because the respects on which they arise are to be found in it. But I will insist on the three main divisions; for the handling of them will bring us to a clear understanding of what is needful to be known about monarchical power.

First, of the distinction of monarchy into absolute and limited. Absolute monarchy is when the sovereignty is so fully in one, that it hath no limits or bounds under God, but his own will. It is when a people are absolutely resigned up, or resign up themselves to be governed by the will of one man. Such were the ancient eastern monarchies, and that of the Persian and Turk at this day, as far as we know. This is a lawful government, and therefore where men put themselves into this utmost degree of subjection by oath and contract, or are born and brought unto it by God's providence it binds them, and they must abide it, because an oath to a lawful thing is obligatory. This, in Scripture, is very evident, as Ezek. xvii. 16, 18, 19, where judgment is denounced against the King of Judah, for breaking the oath made to the King of Babylon; and it is called God's oath, yet doubtless this was an oath of absolute subjection. And, Rom. xiii. the power, which then was, was absolute; yet the apostle, not excluding it, calls it God's ordinance, and commands subjection to it. So Christ commands tribute to be paid, and pays it himself; yet it was an arbitrary tax, the production of an absolute power. Also the sovereignty of masters over servants was absolute, and the same in oeconomy as absolute monarchy is in policy; yet the apostle enjoins not masters called to christianity, to renounce that title, as too great and rigid to be kept; but exhorts them to moderation in the exercise of it; and servants to remain contented in the condition of their servitude. More might be said to legitimate this kind of government, but it needs not in so plain a case.

## SECT. II.

*Three Degrees of Absoluteness.*

THIS absolute monarchy hath three degrees, yet all within the state of absoluteness. The first, when the monarch, whose will is the people's law, doth set himself no stated rule or law to rule by, but

by immediate edicts and commands of his own will governs them, as in his own and council's judgment he thinks fit. Secondly, when he sets down a rule and law by which he will ordinarily govern, reserving to himself liberty to vary from it, wherein and as often as in his discretion he judges fit: And in this the sovereign is as free as the former, only the people are at a more certainty what he expects from them in ordinary. Thirdly, When he not only sets down an express rule and law to govern by, but also promiseth and engages himself, in many cases, not to alter that rule. But this engagement is an after condescent and act of grace, not dissolving the absolute oath of subjection, which went before it, nor is intended to be the rule of his power, but of the exercise of it. This ruler is not so absolute as the former in the use of his power, for he hath put a bond on that, which he cannot break without breach of promise; that is, without sin: But he is as absolute in his power, if he will sinfully put it forth into act: It hath no political bounds, for the people still owe him absolute subjection, that not being dissolved or lessened by an act of grace coming afterwards.

### SECT. III.

#### *Whether Resistance be lawful in absolute Monarchy.*

Now, in governments of this nature, how far obedience is due, and whether any resistance be lawful, is a question which here must be decided; for the due effecting whereof, we must premise some needful distinctions to avoid confusion. Obedience is two-fold; First, positive and active, when in conscience of an authority we do the thing commanded; Secondly, Negative and passive, when, though we answer not authority by doing, yet we do it by contented undergoing the penalty imposed. Proportionably resistance is two-fold: First, positive, by an opposing of force: Secondly, negative, when only so much is done as may defend ourselves from force, without return of force against the assailant. Now, this negative resistance is also two-fold: First, In inferior and sufferable cases: Secondly, Or in the supreme case, and last necessity of life and death; and then too, it is first either of a particular person or persons; Secondly, or of the whole community. And if of particular persons, then either under plea and pretence of equity assaulted; or else without any plea at all, merely for will and pleasure's sake; for to that degree of rage and cruelty sometimes the heart of man is given over. All these are very distinguishable cases, and will be of use either in this or the ensuing disputes.

To the question, I say, First, Positive obedience is absolutely due to the will and pleasure of an absolute monarch, in all lawful and indifferent things; because in such a state the will of the prince is the supreme law; so that it binds to obedience in every thing not prohibited by a superior, that is, divine law: For it is in such case the higher power, and is God's ordinance.

Secondly, When the will of an absolute monarch commands a thing forbidden to be done by God's law, then it binds not to active.

obedience; then it is the apostle's rule undoubtedly true, 'It is better to obey God than men.' For the law of the inferior gives place to the superior. In things defined by God, it should be all one with us, for the magistrate to command us to transgress that, as to command us an impossibility; and impossibilities fall under no law. But on this ground no man must quarrel with authority, or reject its commands as unlawful, unless there be an open unlawfulness in the face of the act commanded. For, if the unlawfulness be hidden in the ground or reason of the action, inferiors must not be curious to inquire into the grounds or reasons of the commands of superiors; for such license of inquiry would often frustrate great undertakings, which much depend on speed and secrecy of execution. I speak all this of absolute government, where the will and reason of the monarch is made the higher power, and its expression the supreme law of a state.

Thirdly, Suppose an absolute monarch should so degenerate into monstrous unnatural tyranny, as apparently to seek the destruction of the whole community, subject to him in the lowest degree of vassalage, then such a community may negatively resist such subversion: Yea, and if constrained to it by the last necessity, positively resist, and defend themselves by force against any instruments whatsoever employed for the effecting thereof. 1. David did so in his particular case, when pursued by Saul: He made negative resistance by flight, and doubtless he intended positive resistance against any instrument, if the negative would not have served the turn: Else why did he so strengthen himself by forces? Sure not to make positive resistance, and lay violent hands upon the person of the Lord's anointed, as it appeared; yet for some reason he did it, doubtless, which could be none other, but by that force of arms to defend himself against the violence of any misemployed inferior hands. If then he might do it for his particular safety, much rather may it be done for the publick. 2. Such an act is without the compass of any the most absolute potentate; and therefore to resist, in it, can be to resist no power, nor the violation of any due of subjection. For, first, the most submissive subjection ever intended by any community, when they put themselves under another's power, was the command of a reasonable will and power; but to will and command the destruction of the whole body, over which a power is placed, were an act of will most unreasonable and self-destructive, and so not the act of such a will, to which subjection was intended by any reasonable creatures. Secondly, the publick good and being is aimed at in the utmost bond of subjection; for, in the constitution of such unlimited sovereignty, though every particular man's good and being is subjected to the will of one supreme, yet certainly the conservation of the whole publick was intended by it; which being invaded, the intent of the constitution is overthrown; and an act is done which can be supposed to be within the compass of no political power: So that did Nero, as it was repeated of him in his immanity, thirst for the destruction of whole Rome; and if he were truly what the senate pronounced him to be, *humani generis hostis*, then it might justify a negative

resistance of his person; and a positive of any agent should be set on so inhuman a service. And the United Provinces are allowed in resisting Philip II, though he had been their absolute monarch, if he resolved the extirpation of the whole people, and the planting the country with Spaniards, as it is reported he did. And that assertion of some, 'That all resistance is against the apostle's prohibition:' Resistance by power of arms is utterly unlawful; cannot be justified in such a latitude. But of this more will be spoken in the current of this discourse.

Fourthly, Suppose by such a power any particular person or persons life be invaded, without any plea of reason or cause for it, I suppose it hard to deny him liberty of negative resistance of power; yea, and positive, of any agents, in such assault of murder: For, though the case be not so clear as the former, yet it seems to me justified by the fact of David, and the rescuing of Jonathan from the causeless cruel intent of his father's putting him to death. As also such an act of will, carrying no colour of reason with it, cannot be esteemed the act of a rational will, and so no will intended to be the law of sovereignty. Not that I think a monarch of such absolute power is bound to yield a reason why he commands any man to be put to death, before his command be obeyed; but I conceive the person so commanded to death may be justified before God and men for protecting himself by escape, or otherwise, unless some reason or cause be made known to him of such command.

Fifthly, Persons subject to an unlimited dominion must, without resistance, subject their estates, liberties, persons, to the will and pleasure of their Lord, so it carry any plea or shew of reason and equity. First, It seems to me evident, 1 Pet. ii. 18, 19, 20; if well-doing be mistaken by the reason and judgment of the power for ill-doing, and we be punished for it, yet, the magistrate going according to his misguided reason, it is the command of a reasonable will; and so to be submitted to, because such a one suffers by law; in a state where the Lord's will is the law. Secondly, In commands of the power, where is the plea of reason and equity on the part of the commander, whether it be such indeed, some power must judge, but the constitution of absolute monarchy resolves all judgment into the will of the monarch, as the supreme law: So that, if his will judicially censure it just, it must be yielded to, as if it were just without appeal or redressment by any created power. And let none complain of this as a hard condition, when they or their ancestors have subjected themselves to such a power by oath or political contract: If it be God's ordinance to such, it must be subjected to; and its exorbitances borne, as he says in Tacitus, as men bear famine, pestilence, and other effects of God's displeasure.

Sixthly, In absolute monarchy, the person of the monarch is above the reach of just force and positive resistance; for such a full resignation of men's selves to his will and power, by the irrevocable oath and bond of political contract, doth make the person as sacred as the unction of Saul or David. In such a state, all lawful power is below him, so that he is incapable of any penal hand, which must

be from a superior, or it is unjust. I have been the longer on this absolute monarchy, because, though it doth not concern us, yet it will give light to the stating of doubts in governments of a more restrained nature; for what is true here, in the full extent of power, is there also as true within the compass of their power.

## SECT. IV.

*What makes a Monarchy limited?*

IN moderate or limited monarchy, it is an enquiry of some weight to know, what it is which constitutes it in the state of a limited monarchy.

First, A monarchy may be stinted in the exercise of its power, and yet be an absolute monarchy, as appeared before, in our distinction of absolute monarchy: if that bounds be a subsequent act, and proceeding from free will and grace in the monarch. For it is not the exercise, but the nature and measure of power, wherewith he is radically invested, which denominates him a free, or conditionate monarch.

Secondly, I take it, that a limited monarch must have his bounds of power *ab æterno*; not from the free determination of his own will. And now kings have not divine words and binding laws to constitute them in their sovereignty, but derive it from ordinary providence; the sole mean hereof, is the consent and fundamental contract of a nation or men, which consent puts them in their power, which can be no more nor other than is conveyed to them by such contract of subjection. This is the root of all sovereignty individuated and existent in this, or that person, or family; till this come and lift him up, he is a private man, not differing in state from the rest of his brethren; but then he becomes another man, his person is sacred by that sovereignty conveyed to it, which is God's ordinance and image. The truth hereof will be more fully discovered, when we come to speak of elective and successive monarchy.

Thirdly, He is then a limited monarch, who hath a law, beside his own will, for the measure of his power. First, The supreme power of the state must be in him, so that his power must not be limited by any power above his; for then he were not a monarch, but a subordinate magistrate. Secondly, This supreme power must be restrained by some law according to which this power was given, and, by direction of which, this power must act; else he were not a limited monarch, that is, a liege sovereign, or legal king. Now, a sovereignty comes thus to be legal, or defined to a rule of law, either by original constitution, or by after condescent. By original constitution, when the society publick confers on one man a power by limited contract, resigning themselves to his government by such a law, reserving to themselves such immunities: In this case, they, which at first had power over themselves, had power to set their own terms of subjection; and he which hath no title of power over them, but by their act, can, *de jure*, have no greater than what is put over to him by that act. By after condescent, viz. when a Lord, who by conquest, or other right, hath an

absolute arbitrary power, but, not liking to hold by such a right, doth either formally or virtually desert it, and take a new legal right, as judging it more safe for him to hold by, and desirable of the people to be governed by. This is equivalent to that by original constitution, yea, is all one with it; for this is, in that respect, a secondary original constitution. But if it be objected, that, this being a voluntary condescent, is an act of grace, and so doth not derogate from his former absoluteness, as was said before of an absolute monarch, who confines himself to govern by one rule: I answer, this differs essentially from that; for there a free Lord of grace yields to rule by such a law, reserving the fulness of power, and still requiring of the people a bond and oath of utmost indefinite subjection; so that it amounts not to a limitation of radical power. Whereas here is a change of title, and a resolution to be subjected to, in no other way, than according to such a frame of government; and accordingly, no other bond or oath of allegiance is required or taken, than according to such a law; this amounts to a limitation of radical power. And therefore they speak too generally, who affirm of all acts of grace proceeding from princes to people, as if they did not limit absoluteness: It is true, of acts of grace of that first kind, but yet, you see an act of grace may be such a one, as may amount to a resignation of that absoluteness into a more mild and moderate power, unless we should hold it out of the power of an absolute lord to be other; or that by free condescent, and act of grace, a man cannot as well part with, or exchange his right and title to a thing, as define himself in the use and exercise, which I think none will affirm.

## SECT. V.

*How far Subjection is due in a limited Monarchy,*

In all governments of this alloy and legal constitution, there are three questions of special moment to be considered:

First, How far subjection is due? As far as they are God's ordinance, as far as they are a power, and they are a power as far as the contract fundamental, from which, under God, their authority is derived, doth extend. As absolute lords must be obeyed as far as their will enjoins, because their will is the measure of their power, and their subjects law; so these, in the utmost extent of the law of the land, which is the measure of their power, and their subjects duty of obedience. I say so far, but I do not say no further; for I believe, though on our former grounds it clearly follows, that such authority transcends its bounds, if it command beyond the law, and the subject legally is not bound to subjection in such case; yet, in conscience, a subject is bound to yield to the magistrate, even when he cannot, *de jure*, challenge obedience, to prevent scandal, or any occasion of slighting the power which may sometimes grow, even upon a just refusal. I say, for these causes a subject ought not to use his liberty, but, *morem gerere*, if it be in a thing in which he can possibly without subversion, and in which his act may not be

made a leading case, and so bring on a prescription against publick liberty.

## SECT. VI.

*How far it is lawful to resist.*

SECONDLY, How far is it lawful to resist the exorbitant illegal commands of such a monarch? 1. As before in lighter cases, in which it may be done for the reasons alledged, and for the sake of publick peace; we ought to submit and make no resistance at all, but, *de jure recedere*.

2. In cases of a higher nature, passive resistance, viz. by appeal to law, by concealment, by flight, is lawful to be made, because such a command is politically powerless, it proceeds not from God's ordinance in him; and so we sin not against God's ordinance in such non-submission, or negative resistance.

3. For instruments, or agents in such commands, if the streight be such, and a man be surprised, that no place is left for an appeal, nor evasion by negative resistance, I conceive, against such positive resistance may be made; because, authority failing, or this act in the supreme power, the agent or instrument can have none derived to him, and so is but in the nature of a private person, and his act as an offer of private violence, and so comes under the same rules for opposition.

4. For the person of the sovereign, I conceive it as well above any positive resistance, as the person of an absolute monarch, yea, though by the whole community, except there be an express reservation of power in the body of the state, or any deputed persons, or court, to use (in case of intolerable exorbitance) positive resistance; which if there be, then such a governor is no monarch; for that fundamental reservation destroys its being a monarchy, inasmuch as the supreme power is not in one. For, wherever there is a sovereign politick power constituted, the person or persons, who are invested with it, are sacred, and out of the reach of positive resistance or violence; which, as I said, if just, must be from no inferior, or subordinate hand. But it will be objected, that, since every monarch hath his power from the consent of the whole body, that consent of the whole body hath a power above the power of the monarch, and so the resistance, which is done by it, is not by an inferior power; and to this purpose is brought that axiom: *Quicquid efficit tale, est magis tale*, I answer: That rule, even in natural causes, is liable to abundance of restrictions, and, in the particular in hand, it holds not. Where the cause doth bereave himself of that perfection by which it works, in the very act of causing, and convey it to that effect, it doth not remain more such, than the effect, but much less, and below it: As, if I convey an estate of land to another, it doth not hold, that after such conveyance I have a better estate remaining in me, than that other, but rather the contrary; because what was in one is passed to the other. The servant who, at the year of jubilee, would not go free, but have his ear bored, and giving his master a full lordship



over him : Can we argue, that he had afterward more power over himself, than his master, because he gave his master that power over him, by that act of œconomical contract? Thus the community, whose consent establishes a power over them, cannot be said universally to have an eminency of power above that which they constitute; sometimes they have, sometimes they have not; and, to judge when they have, when not, respect must be had to the original contract, and fundamental constitution of that state. If they have constituted a monarchy, that is, invested one man with a sovereignty of power, and subjected all the rest to him, then it were unreasonable to say, they yet have it in themselves, or have a power of recalling that supremacy, which, by oath and contract, they themselves transferred on another; unless we make this oath and contract less binding than private ones, dissoluble at pleasure, and so all monarchs tenants at will from their people. But if they, in such constitution, reserve a power in the body to oppose and displace the magistrate for exorbitances, and reserve to themselves a tribunal to try him in, that man is not a monarch, but the officer and substitute of him, or them, to whom such power over him is referred or conferred. The issue is this. If he be a monarch, he hath the *apex*, or *culmen potestatis*; and all his subjects, *divisim* and *conjunctim*, are below him; they have divested themselves of all superiority, and no power left for a positive opposition of the person of him, whom they have invested.

#### SECT. VII.

##### *Who shall be the Judge of the Excesses of the Monarch?*

THIRDLY, who shall be the judge of the excesses of the sovereign Lord, in monarchies of this composure? I answer: A frame of government cannot be imagined of that perfection, but that some inconveniences there will be possible, for which there can be provided no remedy: Many miseries, to which a people under an absolute monarchy are liable, are prevented by this legal allay and refinement of power. But this is exposed to one defect, from which that is free, that is, an impossibility of constituting a judge to determine this last controversy, viz. the sovereign's transgressing his fundamental limits. This judge must be either some foreigner, and then we lose the freedom of the state, by subjecting it to an external power in the greatest case; or else within the body. If so, then, 1. Either the monarch himself, and then you destroy the frame of the state, and make it absolute; for to define a power to a law, and then to make him judge of his deviations from that law, is to absolve him from all law. Or else, 2. The community and their deputies must have this power; and then, as before, you put the *apex potestatis*, the prime *αρχή* in the whole body, or a part of it, and destroy the being of monarchy, the ruler not being God's immediate minister, but of that power, be it where it will, to which he is accountable for his actions. So that I conceive, in a limited legal monarchy there can be no stated internal judge of the monarch's actions, if there grow a fundamental variance betwixt him and the community. But you will say, it is

all one way to absoluteness to assign him no judge, as to make him his own judge. Answ. I say not simply in this case, there is no judge, but that there can be no judge legal and constituted within that frame of government ; but it is a transcendent case beyond the provision of that government, and must have an extraordinary judge and way of decision.

In this great and difficult case, I will deliver my apprehensions freely and clearly, submitting them to the censure of better judgments. Suppose the controversy to happen in a government fundamentally legal, and the people no further subjected than to government by such a law.

1. If the act, in which the exorbitance and transgression is supposed to be, be of lesser moment, and not striking at the very being of that government, it ought to be borne by publick patience, rather than to endanger the being of the state, by a contention betwixt the head and body politick.

2. If it be mortal and such as, suffered, dissolves the frame and life of the government and publick liberty : Then the illegality and destructive nature is to be set open, and redressment sought by petition ; which if failing, prevention by resistance ought to be. But first, that it is such, must be made apparent ; and if it be apparent, and an appeal made. *ad conscientiam generis humani*, especially of those of that community, then the fundamental laws of that monarchy must judge and pronounce the sentence in every man's conscience ; and every man (as far as concerns him) must follow the evidence of truth in his own soul, to oppose, or not oppose, according as he can in conscience acquit or condemn the act of carriage of the governor. For I conceive, in a case which transcends the frame and provision of the government they are bound to, people are unbound, and in state as if they had no government ; and the superior law of reason and conscience must be judge ; wherein every one must proceed with the utmost advice and impartiality. For, if he err in judgment, he either resists God's ordinance, or puts his hand to the subversion of the state and policy he lives in.

And this power of judging argues not a superiority in those who judge, over him who is judged ; for it is not authoritative and civil, but moral, residing in reasonable creatures, and lawful for them to execute, because never divested and put off by any act in the constitution of a legal government, but rather the reservation of it intended : For when they define the superior to a law, and constitute no power to judge of his excesses from that law, it is evident they reserve to themselves, not a formal authoritative power, but a moral power, such as they had originally before the constitution of the government ; which must needs remain, being not conveyed away in the constitution.

## CHAP. III.

*Of the Division of Monarchy into Elective and Successive.*

## SECT. I.

*Elective and Successive Monarchy what they are ?*

THE second division of monarchy, which I intend to treat of, is that of elective or successive. Elective monarchy is that, where, by the fundamental constitution of the state, the supreme power is conveyed but to the person of him whom they take for their prince; the people reserving to themselves power, by men deputed by the same constitution, to elect a new person on the decease of the former. Successive is, where, by the fundamental constitution of the state, the sovereignty is conferred on one prince; and in that one, as a root and beginning to his heirs, after a form and line of succession, constituted also by the fundamentals of that government. In the first, the people's oath and contract of subjection extends but to one person: in the other, to the whole race and line of successors; which continuing, the bond of subjection continues; or which failing, the people return to their first liberty of choosing a new person, or succession to be invested with sovereignty.

## SECT. II.

*All Monarchy whether originally from Consent ?*

I do conceive that in the first original all monarchy, yea any individual frame of government whatsoever, is elective: That is, is constituted, and draws its force and right from the consent and choice of that community over which it swayeth. And that triple distinction of monarchy into that which is gotten by conquest, prescription, or choice, is not of distinct parts, unless by choice be meant full and formal choice: my reason is, because man, being a voluntary agent, and subjection being a moral act, it doth essentially depend on consent; so that a man may by force and extremity be brought under the power of another, as unreasonable creatures are, to be disposed of, and trampled on, whether they will or no: But a bond of subjection cannot be put on him, nor a right to claim obedience and service acquired, unless a man become bound by some act of his own will. For, suppose another, from whom I am originally free, be stronger than I, and so bring me under his mercy, do I therefore sin if I do not what he commands me? Or can that act of violence pass into a moral title, without a moral principle?

## SECT. III.

*Monarchy by Divine Institution.*

BUT this will be more manifest, if by induction I shew how other titles resolve into this. I will begin with that of divine institution.

Saul and David were by the sacrament of anointing designed to the kingdom, as it were by God's own hand ; which notwithstanding, they were not actually kings till the people's consent established them therein. That unction was a manifestation of the appointment of God, and, when it was made known to the people, I think it had the power of precept, to restrain the people's choice to that person ; which if they had not done, they had resisted God's ordinance. Yet they were not thereby actually endowed with kingly power, but remained as private men, till the people's choice put them in actual possession of that power ; which in David was not till after many years.

## SECT. IV.

*Monarchy by Prescription.*

THEN for that usage or prescription ; if any such did ever constitute a monarchy, it was by vertue of an universal consent by that usage and prescription proved and implied. For in a popular state, where one man in the community, by reason of great estate, wisdom, or other perfection, is in the eye of all the rest, all reverence him, and his advice they follow ; and the respect continues from the people to the house and family, for divers generations. In this case, subjection at first is arbitrary in the people ; and, if in time it become necessary, it is because their custom is their law ; and its long continuance is equivalent to a former election : So that this tenure and right, if it be good and more than at pleasure, as it was at first, the considerate must needs ascribe it to a consent, and implicit choice of the people.

## SECT. V.

*Monarchy by Conquest. Whether Conquest give a just Title ?*

BUT the main question is concerning monarchy achieved by conquest ; where, at first sight, the right seems gotten by the sword, without the consent and choice of the people, yea against it. Conquest is either, first, total, where a full conquest is made, by a total subduing a people to the will of the victor ; or, secondly, partial, where an entrance is made by the sword : But the people, either because of their right claimed by the invader, or their unwillingness to suffer the miseries of war, or their apparent inability to stand out in a way of resistance, or some other consideration, submit to a composition and contract of subjection to the invader. In this latter it is evident the sovereign's power is from the people's consent ; and the government is such as the contract and fundamental agreement makes it to be, if it be the first agreement, and the pretender hath no former title which remains in force, for then this latter is invalid, if it include not and amount to a relinquishing and disannulling of the old. But the difficulty is concerning a full and mere conquest ; and of this I will speak my mind clearly. Such a war and invasion of a people, which ends in a conquest, first, it is either upon the pretence or claim of a title of sovereignty over the people invaded ; And,

then, if the pretender prevail, it is properly no conquest, but the vindication of a title by force of arms. And the government is not original, but such as the title is by which he claims it. Secondly, or it is by one who hath no challenge of right descending to him to justify his claim and invasion of a people: Then, if he subdue, he may properly be said to come to his government by conquest.

And there be who wholly condemn this title of conquest as unlawful, and take it for nothing else but a national and publick robbery. So one of the answerers to Doctor Fern, says in his (p. 10.) 'Conquest may give such a right as plunderers use to take in houses they can master.—It is inhuman to talk of right of conquest in a civil, in a christian state.' But I cannot allow of so indefinite a censure; rather I think the right of conquest is such as the precedent war was; if that were lawful, so is the conquest; for a prince may be invaded, or so far injured by a neighbouring people, or they may be set on such a pernicious enmity against him and his people, that the safety of himself and people may compel to such a war, which war, if it end in conquest, who can judge such title unlawful? Suppose then conquest may be a lawful way of acquisition, yet an immediate cause of right of sovereignty, that is, of a civil power of government to which obedience is due, it cannot be: I say, an immediate cause, for a remote impulsive cause it often is, but not an immediate formal cause; for that must ever be the consent of the people, whereby they accept of, and resign up themselves to a government, and then their persons are morally bound, and not before. Thus far the force of conquest may go; it may give a man title over, and power to possess and dispose of the country and goods of the conquered; yea, the bodies and lives of the conquered are at the will and pleasure of the conqueror. But it still is at the people's choice to come into a moral condition of subjection, or not. When they are thus at the mercy of the victor, if, to save life, they consent to a condition of servitude or subjection, then that consent, oath, or covenant, which they in that extremity make, being in *re licita*, binds them, and they owe moral duty. But if they would rather suffer the utmost violence of the conqueror, and will consent to no terms of subjection, as Numantia in Spain, and many other people have resolved; they die or remain a free people. Be they captived or possessed at pleasure, they owe no duty, neither do they sin in not obeying; nor do they resist God's ordinance, if at any time of advantage they use force to free themselves from such a violent possession. Yea, perhaps, if before by contract they were bound to another, they should sin, if, to avoid death or bondage, they should swear and covenant fealty to a conqueror; and it were more noble and laudable to die in the service, and for the faith to their natural sovereign. Thus I am persuaded it will appear an uncontrollable truth in policy, that the consent of the people, either by themselves or their ancestors, is the only mean in ordinary providence, by which sovereignty is conferred on any person or family. Neither can God's ordinance be conveyed, and people engaged in conscience by any other means.

## SECT. VI.

*Whether a Monarch by succession may not be limited?*

It hath been affirmed by some, that mixture and limitation is inconsistent to successive monarchy, as if, wherever sovereignty is entailed to a succession, it must needs be absolute: but I must profess I cannot see how it can stand with truth: rather I think, that both elective and hereditary monarchy are indifferently capable of absoluteness or limitation. If a free and not pre-engaged people to any government, ap themselves to a person, to be com-  
 supreme law, during his natural life,  
 ed, but that he is an absolute, and yet  
 ou will say he is not absolute, because  
 / a law, bind them to elect his son to  
 r government into hereditary. But his  
 loth not disparage his sovereignty, or  
 it limited, because this belongs not to  
 : a mere provision for the future.  
 g, according to a law, be, by consent  
 d his heirs to succeed after him, how  
 te, and the entailment should overthrow  
 gine. If the whole latitude of power  
 editary, sure a proportion may as well;  
 s includes a repugnancy to be perpetual.  
 cession makes that power irrevocable,  
 at succession: But it makes it neither  
 essor than was in his progenitors from

## SECT. VII.

In ~~elective~~ monarchy, the successor holds by the original right of him who is the root of succession, and is *de jure* king, the immediate instant after his predecessor's decease: Also the people are bound to him, though they never take any oath to his person. For, as he commands in virtue of the original right, so they are bound to obey by virtue of the original covenant, and national contract of subjection; the new oath taken by king or people is but a reviving of the old, that the conscience of it, by renewing, might be the more fresh and vigorous; it neither gives any new power, nor adds nor detracts from the old, unless by common agreement an alteration be made; and so the foundation in that clause is new, which cannot be without the consent of both parties.

CHAP. IV.

*Of the division of Monarchy into simple and mixed.*

SECT. 1.

*Simple and mixed Monarchy, what?*

THE third division is into simple and mixed. Simple, is when the government, absolute or limited, is so intrusted in the hands of one, that all the rest is by deputation from him, so that there is no authority in the whole body but his, or derived from him. And that one is either individually one person, and then it is a simple monarchy: Or one associate body, chosen either out of the nobility, whence the government is called a simple aristocracy; or out of the community, without respect of birth or state, which is termed a simple democracy. The supreme authority, residing exclusively in one of these three, denominates the government simple, which ever it be.

Now experience teaching people, that several inconveniencies are in each of these, which is avoided by the other, as aptness to tyranny in simple monarchy, aptness to destructive factions in an aristocracy, and aptness to confusion and tumult in a democracy. As on the contrary, each of them hath some good which the others want, viz. unity and strength in a monarchy; counsel and wisdom in an aristocracy; liberty and respect of common good in a democracy. Hence the wisdom of men, deeply seen in state matters, guided them to frame a mixture of all three, uniting them into one form, that so the good of all might be enjoyed, and the evil of them avoided. And this mixture is either equal, when the highest command in a state, by the first constitution of it, is equally seated in all three; and then (if firm union can be in a mixture of equality) it can be called by the name of neither of them but by the general stile of a mixed state: Or, if there be priority of order in one of the three (as I think there must be, or else there can be no unity), it may take the name of that which hath the precedency. But the firmer union is, where one of the three is predominant, and in that regard gives the denomination to the whole: So we call it a mixed monarchy, where the primity of share in the supreme power is in one.

SECT. II.

*What it is which constitutes a mixed Monarchy? 3*

Now I conceive to the constituting of mixed monarchy (and so proportionately it may be said of the other)

1. The sovereign power must be originally in all three, viz. If the composition be of all three, so that one must not hold his power from the other, but all equally from the fundamental constitution; for, if the power of one be original, and the other derivative, it is no mixture, for such a derivation of power to others is in the most simple monarchy. Again, the end of mixture could not be obtained;

for why is this mixture framed, but that they might confine each other from exorbitance, which cannot be done by a derivative power, it being unnatural that a derived power should turn back, and set bounds to its own beginning.

2. A full equality must not be in the three estates, though they are all sharers in the supreme power; for, if it wereso, it could not have any ground in it to denominate it a monarchy, more than an aristocracy or democracy.

3. A power then must be sought wherewith the monarch must be invested, which is not so great as to destroy the mixture; nor so titular as to destroy the monarchy, which I conceive may be in these particulars:

1. If he be the head and fountain of the power which governs and executes the established laws, so that both the other states, as well conjunctim as divisim, be his sworn subjects, and owe obedience to his commands, which are according to the established laws.

2. If he hath a sole or chief power in capacitating and putting those persons or societies in such states and conditions, as whereunto such supreme power by the foundations of the government doth belong, and is annexed; so that though the aristocratical and democratical power, which is conjoined to his, be not from him; yet the definement and determination of it to such persons is from him, by a necessary consecution.

3. If the power of convocating or causing to be put in existence, and dissolving such a court of meeting of the two other estates as is authoritative, be in him.

4. If his authority be the last and greatest, though not the sole, which must establish and add a consummation to every act, I say, these, or any of these put into one person, make that state monarchical, because, the other, tho' they depend not on him *quoad essentiam et actus formales*, but on the prime constitution of the government, yet, *quoad existentiam et determinationem ad subjecta*, they do.

The supreme power being either the legislative, or the gubernative, in a mixed monarchy, sometimes the mixture is the seat of the legislative power, which is the chief of the two; the power of constituting officers for governing by those laws being left to the monarch: or else the primacy of both these powers is jointly in all three. For, if the legislative be in one, then the monarchy is not mixed but simple, for that is the superior; if that be in one, all else must needs be so too. By legislative, I mean the power of making new laws, if any new be needful to be added to the foundation; and the authentick power of interpreting the old; for I take it, this is a branch of the legislative, and is as great, and in effect the same power.

### SECT. III.

EVERY mixed monarchy is limited; but it is not necessary that every limited should be mixed: For the prince in a mixed monar-



chy, were there no definement of him to a law but only this: That his legislative acts have no validity without the allowance and joint authority of the other; this is enough to denominate it exactly a limited monarchy. And so much it must have, if it be mixed. On the other side, if in the foundations of his government he be restrained to any law besides his own will, he is a limited monarch, though that both the legislative and gubernative power (provided he exceed not those laws) be left in his own hands: But then the government is not mixed.

#### SECT. IV.

##### *How far the Prince's power extends in a mixed Monarchy.*

Now concerning the extent of the prince's power, and the subjects duty in a mixed monarchy, almost the same is to be said, which was before in a limited; for it is a general rule in this matter: Such as the constitution of government is, such is the ordinance of God: such as the ordinance is, such must our duty of subjection be. No power can challenge an obedience beyond its own measure; for, if it might, we should destroy all rules and differences of government, and make all absolute and at pleasure. In every mixed principality,

First, Look what power is solely intrusted and committed to the prince by the fundamental constitution of the state, in the due execution thereof all owe full subjection to him, even the other estates, being but societies of his subjects bound to him by oath of allegiance, as to their liege lord.

Secondly, Those acts belonging to the power which is stated in a mixed principle, if either part of that principle, or two of the three undertake to do them, it is invalid; it is no binding act; for in this case all three have a free negative voice; and take away the privilege of a negative voice, so that, in case of refusal, the rest have power to do it without the third, then you destroy that third, and make him but a looker on. So that, in every mixed government, I take it, there must be a necessity of concurrence of all three estates in the production of acts belonging to that power, which is committed in common to them: Else, suppose those acts valid which are done by any major part, that is any two of the three, then you put it in the power of any two by a confederacy at pleasure to disannul the third, or suspend all its acts, and make it a bare cypher in government.

Thirdly, In such a composed state, if the monarch invade the power of the other two, or run in any course tending to the dissolving of the constituted frame, they ought to employ their power in this case to preserve the state from ruin; yea, that is the very end and fundamental aim in constituting all mixed policies; not that they, by crossing and jarring, should hinder the publick good; but that, if one exorbitate, the power of restraint and providing for the publick safety, should be in the rest; and the power is put into different hands, that one should counterpoise and keep even the other;

so that, for such other estates, it is not only lawful to deny obedience and submission to illegal proceedings, as private men may; but it is their duty, and by the foundations of the government they are bound to prevent the dissolution of the established frame.

Fourthly, the person of the monarch; even in these mixed forms (as I said before in the limited) ought to be above the reach of violence in his utmost exorbitances. For, when a people have sworn allegiance, and invested a person or line with supremacy, they have made it sacred, and no abuse can divest him of that power; irrevocably communicated. And, while he hath power in a mixed monarchy, he is the universal sovereign, even of the other limiting states: So that, being above them, he is *de jure* exempt from any penal hand.

Fifthly, That one inconvenience must necessarily be in all mixed governments, which I shewed to be in limited governments; there can be no constituted, legal, authoritative judge of the fundamental controversies arising betwixt the three estates. If such do arise, it is the fatal disease of these governments, for which no salvo can be prescribed. For the established being of such authority would, *ipso facto*, overthrow the frame, and turn it into absoluteness. So that, if one of these, or two, say their power is invaded, and the government assaulted by the other, the accused denying it, it doth become a controversy. Of this question there is no legal judge. It is a case beyond the possible provision of such a government. The accusing side must make it evident to every man's conscience. In this case, which is beyond the government, the appeal must be to the community, as if there were no government; and, as by evidence men's consciences are convinced, they are bound to give their utmost assistance. For the intention of the frame, in such states, justifies the exercise of any power, conducing to the safety of the universality and government established.

## PART II.

### OF THIS PARTICULAR MONARCHY.

#### CHAP. I.

*Whether the power, wherewith our Kings are invested, be absolute, or limited and moderated Power.*

##### SECT. 1.

**H**AVING thus far proceeded in general, before we can bring home this to a stating of the great controversy, which now our sins, God's displeasure, and evil turbulent men, have raised up in our lately most flourishing, but now most unhappy kingdom: We must first look into the frame and composure of our monarchy; for, till we fully are resolved of that, we cannot apply the former general truths, nor on them ground the resolution of this ruining contention.

Concerning the essential composure of this government, that it is monarchical, is by none to be questioned; but the enquiry must be about the frame of it. And so there are seven great questions to be prosecuted.

First, whether it be a limited monarchy, or absolute? Here the question is, not concerning power in the exercise, but the root and being of it; for none will deny, but that the way of government used, and to be used in this realm, is a defined way; only some speak, as if this definement was an act of grace from the monarchs themselves, being pleased at the suit and, for the good of the people, to let their power run into act through such a course and current of law; whereas, if they at any time shall think fit, on great causes, to vary from that way, and use the full extent of their power, none ought to contradict or refuse to obey. Neither is it the question, whether they sin against God, if they abuse their power, and run out into acts of injury at pleasure, and violate those laws which they have, by publick faith and oath, promised to observe; for none will deny this to be true, even in the most absolute monarch in the world. But the point controverted is punctually this. whether the authority, which is inherent in our kings, be boundless and absolute, or limited and determined; so that the acts which they do, or command to be done, without that compass and bounds, be not only sinful in themselves, but invalid and nonauthoritative to others?

## SECT. II.

Now, for the determining hereof, I conceive, and am in my judgment persuaded, that the sovereignty of our kings is radically and fundamentally limited, and not only in the use and exercise of it; and am persuaded so on these grounds and reasons.

First, because the king's majesty himself, who best knows, by his council, the nature of his own power, says, that\* the law is the measure of his power; which is as full a concession of the thing as words can express. If it be the measure of it, then his power is limited by it; for the measure is the limits and bounds of the thing limited. And, in his answer to both houses concerning the militia, speaking of the men named to him, says, if more power shall be thought fit to be granted to them, than by law is in the crown itself, his majesty holds it reasonable, that the same be by some law first vested in him, with power to transfer it to those persons, &c. In which passage it is granted, that the powers of the crown are by law, and that the king hath no more than are vested in him by law.

Secondly, Because it is in the very constitution of it mixed, as I shall afterwards make it appear, then it is radically limited; for, as I shewed before, every mixed monarchy is limited, though not on the contrary; for the necessary connexion of other power to it is one of the greatest limitations. A subordination of causes doth not ever prove the supreme cause of limited vertue; a co-ordination doth always.

\* Declaration from Newmarket, Mart. 9, 1641.

Thirdly, I prove it from the ancient, ordinary, and received denominations; for the king's majesty is called our liege, that is, legal sovereign; and we his liege, that is, his legal subjects; what do these names argue, but that his sovereignty and our subjection are legal, that is, restrained by law?

Fourthly, Had we no other proof, yet that of prescription were sufficient. In all ages, beyond record, the laws and customs of the kingdom have been the rule of government: liberties have been stood upon, and grants thereof, with limitations of royal power, made and acknowledged by Magna Charta, and other publick and solemn acts; and no obedience acknowledged to be due, but that which is according to law, nor claimed, but under some pretext or title of law.

Fifthly, The very being of our common and statute laws, and our kings, acknowledging themselves bound to govern by them, doth prove and prescribe them limited; for those laws are not of their sole composing, nor were they established by their sole authority, but by the concurrence of the other two estates; so that, to be confined to that which is not merely their own, is to be in a limited condition.

Some \* there be which have lately written on this subject, who take another way to prove our government limited by law, viz. By denying all absolute government to be lawful; affirming, that absolute monarchy is not at all God's ordinance, and so no lawful power secured from resistance. What is their ground for this? God allows no man to rule as he lists, nor put men's lives in the pleasure of the monarch; it is a power arbitrary and injurious. But I desire those authors to consider, that, in absolute monarchy, there is not a resignation of men to any will or list, but to the reasonable will of the monarch, which, having the law of reason to direct it, is kept from injurious acts. But see, for defence of this government, Part i. cap. 2.

### SECT. III.

HAVING set down those reasons, on which my judgment is settled on this side, I will consider the main reasons, whereby some have endeavoured to prove this government to be of an absolute nature, and will shew their invalidity. Many divines, perhaps inconsiderately, perhaps wittingly for self ends, have been, of late years, strong pleaders for absoluteness of monarchical power in this land; and pressed obedience on the consciences of people in the utmost extremity, which can be due in the absolute monarchy in the world; but I seldom, or never, heard or read them make any difference of powers, but usually bring their proofs from those scriptures, where subjection is commanded to the higher powers, and all resistance of them forbidden, and from examples taken out of the manner of the government of Israel and Judah; as if any were so impious to con-

\* Pleadings for defensive arms, Sect. II. and IV.

tradict those truths, and they were not as well obeyed in limited government, as in absolute; or, as if examples, taken out of one government, do always hold in another, unless their aim was to deny all distinction of governments, and to hold all absolute, who have any where the supreme power conveyed to them.

Amongst these, I wonder most at that late discourse of Dr. Fern, who, in my judgment, avoucheth things inconsistent, and evidently contradictory one to the other. For in his preface he acknowledges our obedience to be limited and circumscribed by the laws of the land, and accordingly to be yielded or denied to the higher power; and, that he is as much against an absolute power in the king, and to raise him to an arbitrary way of government, as against resistance on the subjects part; also, that his power is limited by law, Sect. v. Yet, on the other side, he affirms, that the king holds his crown by conquest; that it is descended to him by three conquests, Sect. ii. that even our senate of parliament hath not so much plea for resistance, as the ancient Roman senate had under the Roman emperors, whose power we know was absolute, Sect ii; that, in monarchy, the judgment of many is reduced to one; that monarchy settles the chief power and final judgment in one, Sect. v. What is this but to confess him limited, and yet to maintain him absolute?

But let us come to the arguments. First, say they, our kings came to their right by conquest; yea, says the doctor, by three conquests: He means, the Saxons, Danes, and Normans, as appears afterwards: Therefore their right is absolute. Here, that they may advance themselves, they care not, though it be on the ruin of publick liberty, by bringing a whole nation into the condition of conquered slaves. But to the argument: 1. Suppose the antecedent true, the consequence is not always true; for, as it is evident in the first part, all conquest doth not put the conqueror into an absolute right. He may come to a right by conquest; but not sole conquest, but a partial, occasioning a right by final agreement; and then the right is specified by that fundamental agreement. Also, he may by the sword prosecute a claim of another nature; and, in his war, intend only an acquiring of that claimed right, and, after conquest, rest in that. Yea, farther, he may win a kingdom merely by the sword, and enter on it by the right of conquest; yet, considering that right of conquest hath too much of force in it to be safe and permanent; he may think conquest the best means of getting a kingdom, but not of holding, and, in wisdom for himself and posterity, gain the affections of the people, by deserting that title, and taking a new by politick agreement, or descend from that right by fundamental grants of liberties to the people, and limitations to his own power. But these things I said, in effect, before, in the first part, only here I have recalled them, to shew what a *non sequitur* there is in the argument. But that which I chiefly intend, is to shew the infirmity or falshood of the antecedent; it is an assertion most untrue in itself, and pernicious to the state. Our princes profess no other way of coming to the crown, but by right of succession to rule free subjects, in a legal monarchy. All the little shew of proof, these assertors

have, is from the root of succession: So William commonly called the Conqueror. For that of the Saxons was an expulsion, not a conquest; for, as our histories record, they, coming into the kingdom, drove out the Britons, and by degrees planted themselves under their commanders, and no doubt continued the freedom they had in Germany; unless we should think, that by conquering they lost their own liberties to the kings, for whom they conquered, and expelled the Britons into Wales. Rather I conceive, the original of the subjects liberty was by those our fore-fathers brought out of Germany: Where, as Tacitus\* reports, *nec regibus infinita aut libera potestas*; their kings had no absolute, but limited power; and all weighty matters were dispatched by general meetings of all the estates. Who sees not here the antiquity of our liberties, and frame of government? So they were governed in Germany, and so here, to this day, for, by transplanting themselves, they changed their soil, not their manners and government. Then, that of the Danes, indeed, was a violent conquest; and, as all violent rules, it lasted not long; when the English expelled them, they recovered their countries and liberties together. Thus it is clear, the English liberty remained to them, till the Norman invasion, notwithstanding that Danish interruption. Now for Duke William, I know nothing they have in him, but the bare stile of conqueror, which seems to make for them. The very truth is, and every intelligent reader of the history of those times will attest it, that Duke William pretended the grant and gift of King Edward, who died without children, and he came with forces into this kingdom, not to conquer, but make good his title against his enemies. His end of entering the land was not to gain a new absolute title, but to vindicate the old limited one, whereby the English Saxon kings his predecessors held this kingdom. Though his title was not so good, as it should be, yet it was better than Harold's, who was only the son of Goodwyn†, steward of King Edward's house: Whereas William was cousin to Emma, mother to the said King Edward; by whom he was adopted, and by solemn promise of King Edward was to succeed him. Of which promise, Harold himself became surety, and bound by oath to see it performed. Here was a fair title, especially Edgar Atheling, the right heir, being of tender age, and disaffected by the people. Neither did he proceed to a full conquest, but after Harold, who usurped the crown, was slain in battle, and none to succeed him; the throne being void, the people chose rather to submit to William and his title, than endure the hazard of ruining war, by opposing him, to set up a new king. It is not to be imagined, that such a realm as England could be conquered by so few, in such a space, if the people's voluntary acceptance of him, and his claim, had not facilitated and shortened his undertaking. Thus we have it related in Mr. Camden, that before Harold usurped the crown most men thought it the wisest policy to set the crown on William's head, that, by performing the oath and promise, a war might be prevented: And that Harold, by assuming

\* Tacit. de Morib. Germ. Sect. 3, and 5.

† Camden Britan. Norman.

the crown, provoked the whole clergy and ecclesiastical state against him; and we know how potent in those days the clergy were in state affairs. Also, that, after one battle fought wherein Harold was slain, he went to London, was received by the Londoners, and solemnly inaugurated king, as unto whom, by his own saying, the kingdom was by God's providence appointed, and, by virtue of a gift from his lord and cousin King Edward the glorious, granted; so that, after that battle, the remainder of the war was dispatched by English forces and leaders. But suppose he did come in a conqueror; yet he did not establish the kingdom on these terms, but on the old laws, which he retained and authorised for himself, and his successors to govern by. Indeed, after his settlement in the kingdom, some Norman customs he brought in, and to gratify his soldiers disposed many English of their estates, dealing in it too much like a conqueror; but the trial by twelve men, and other fundamentals of government, wherein the English freedom consists, he left untouched, which have remained till this day. On the same title, he claimed and was inaugurated, was he king, which was a title of rightful succession to Edward: Therefore he was indeed king, not as conqueror, but as Edward's successor; and on the same right, as he and his predecessors held the crown. As also, by the grant of the former laws, and form of government, he did equivalently put himself and successors into the state of legal monarchs; and, in that tenure, have all the kings of this land held the crown till this day; when these men would rake up, and put a title of conquest upon them, which never was claimed or made use of by him, who is the first root of their succession.

#### SECT. IV.

ANOTHER reason, which they produce, is the successive nature of this monarchy; for, with them, to be elective and limited, and to be successive and absolute, are equipollent; they conceive it impossible, that a government should be hereditary, and not absolute. But I have enough made it appear, Part I. Chap. ii. Sect. 6. That succession doth not prove a monarchy absolute from limitation, though it proves its absolution from interruption and discontinuance, during the being of that succession to which it is defined. And that, which they object, that our kings are actually so, before they take the oath of governing by law, and so they would be, did they never take that oath. Wherefore it is no limitation of their royal power, is there also answered in the next section, and that so fully, that no more need be said. The same law, which gives the king his crown immediately upon the decease of his predecessor, conveys it to him with the same determinations and prerogatives annexed, with which his progenitors enjoyed it; so that, he entering on that original right, his subjects are bound to yield obedience, before they take any oath; and he is bound to the laws of the monarchy, before he actually renews the bond by any personal oath. There is yet another argument usually brought to this purpose, taken from the oath of allegiance; but of that I shall have occasion to speak hereafter.

## CHAP. II.

*Supposing it to be in the platform limited, wherein, and how far forth, is it limited and defined?*

I CONCEIVE it fundamentally limited in five particulars:

First, In the whole latitude of the nomothetical power; so that their power extends not to establish any act, which hath the being and state of a law of the land; nor give an authentick sense to any law of a doubtful and controverted meaning, solely and by themselves, but together with the concurrent authority of the two other estates in parliament.

Secondly, In the governing power there is a confinement to the fundamental common laws, and to the superstructive statute laws, by the former concurrence of powers enacted, as to the rule of all their acts and executions.

Thirdly, In the power of constituting officers and means of governing; not in the choice of persons, for that is intrusted to his judgment, for aught I know, but in the constitution of courts of judicature; for, as he cannot judge by himself, or officers, but in courts of justice, so those courts of justice must have a constitution by a concurrence of the three estates; they must have the same power to constitute them, as the laws which are dispensed in them.

Fourthly, In the very succession; for tho' succession has been brought as a medium to prove the absoluteness of this government; yet, if it be more thoroughly considered, it is rather a proof of the contrary; and every one, who is a successive monarch, is so far limited in his power, that he cannot leave it to whom he pleases, but to whom the fundamental law concerning that succession hath designed it. And herein, though our monarchy be not so limited, as that of France is said to be, where the king cannot leave it to his daughter, but to his heir male, yet restrained it is; so that, should he affect another more, or judge another fitter to succeed, yet he cannot please himself in this, but is limited to the next heir born, not adopted, nor denominated; which was the case betwixt Queen Mary and the Lady Jane.

Lastly, In point of revenue; wherein their power extendeth not to their subjects estates, by taxes and impositions to make their own what they please, as hath been acknowledged by *Magna Charta*, and lately by the Petition of Right, the case of ship-money, conduct-money, &c. nor, as I conceive, to make an alienation of any lands; or other revenues annexed by law to the crown. I meddle not with personal limitations, whereby kings, as well as private men, may limit themselves by promise and covenant, which, being particular, bind only themselves; but with those which are radical, and have continued, during the whole current of succession, from unknown times. Other limitations, it is likely, may be produced by those who are skilful in the laws; but I believe they will be such, as are reducible to some of these, which I take to be the principal and



most apparent limitations of this monarchy, and are a most convincing introduction to prove my assertion in the former chapter, 'That this monarchy, in the very mould and frame of it, is of a limited constitution.'

### CHAP. III.

*Whether it be of a simple; or mixed constitution?*

#### SECT. I.

WHEN the government is simple, when mixed; also where the mixture must be, which denominates a mixed government; is explained, Part I. Chap. iii. Now I conceive it a clear and undoubted truth, that the authority of this land is of a compounded and mixed nature, in the very root and constitution thereof; and my judgment is established on these grounds:

First, It is acknowledged to be a monarchy mixed with aristocracy in the house of peers, and democracy in the house of commons. Now (as before was made appear, in the first part) it is no mixture, which is not in the root and supremacy of power; for, though it have a subordination of inferior officers, and though the powers inferior be seated in a mixed subject, yet that makes it not a mixed government, for it is compatible to the simplest in the world to have subordinate mixtures.

Secondly, That monarchy, where the legislative power is in all three, is, in the very root and essence of it, compounded and mixed of those three; for that is the height of power, to which the other parts are subsequent and subservient: so that, where this resideth in a mixed subject, that is, in three distinct concurrent estates, the consent and concurrence of all most free, and none depending on the will of the other, that monarchy is, in the most proper sense, and in the very model of it, of a mixed constitution. But such is the state of this monarchy, as appears in the former question, and is self apparent.

Thirdly, That monarchy, in which three estates are constituted, to the end that the power of one should moderate and restrain from excess the power of the other, is mixed in the root and essence of it; but such is this, as is confessed in the answer to the said propositions. The truth of the major will appear, if we consider how many ways provision may be made, in a political frame, to remedy and restrain the excesses of monarchy. I can imagine but three ways: First, By constituting a legal power above it, that it may be regulated thereby, as by an over-ruling power. Thus we must not conceive of our two houses of parliament, as if they could remedy the exorbitances of the prince by an authority superior to his; for this were to subordinate him to the two houses, to set a superior above the sovereign, that is, to destroy the being of his monarchical power. Secondly, by an original conveyance to him of a limited and legal power, so that beyond it he can do no potestative act; yet constituting no formal legal power to refrain, or redress

his possible exorbitances; here is limitation without mixture of another constituted power. As the former of these overthrows the power of the sovereign, so this makes no provision for the indemnity of the people. Thirdly, now the never-enough-to-be-admired wisdom of the architects and contrivers of the frame of government in this realm (whoever they were) have found a third way, by which they have conserved the sovereignty of the prince; and also made an excellent provision for the people's freedom, by constituting two estates of men, who are for their condition subjects, and yet have that interest in the government, that they can both moderate and redress the excesses and illegalities of the royal power, which (I say) cannot be done but by a mixture. that is, by putting into their hands a power to meddle in acts of the highest function of government; a power not depending on his will, but radically their own, and so sufficient to moderate the sovereign's power.

## SECT. II.

Now what can reasonably be said in opposition to these grounds, proving a fundamental mixture, I cannot devise. Neither indeed is a mixture in the government denied by the greatest patrons of ir. resistibility; only such a mixture they would fain make it, which might have no power of positive resistance. I will therefore set down what they probably may or do object to this purpose, and will shew the invalidity thereof.

Objection 1. This mixture seems not to be of distinct powers, but of a power and a council; authority in the prince to give power to acts, and counsel in the two houses to advise and propose wholesome acts; as if the royal power alone did give life to the law; only he is defined in this power, that he cannot animate any act to the being of a law, but such as is proposed unto him by this great and legislative council of parliament. Sol. This were probable, supposing the parliament were only in the nature of a council; but we know it is also a court, the 'high court of parliament.' Now it is evident that a court is the seat and subject of authority and power, and not barely of counsel and advice.

Obj. 2. The two houses, together with the king, are the supreme court of the kingdom; but, taken divisely from the king, it is no court, and consequently hath no power. Sol. Suppose them no intire court divided from the king, yet they are two estates of the three which make up the supreme court; so that they have a power and authority, though not complete and sufficing to perfect an act, without the concurrence of the third: for it appears by the acts of that court, that every of the three estates hath a legislative power in it; every act being enacted by the king's most excellent majesty, and by the authority of the lords and commons assembled in parliament.

## SECT. III.

Objection 3. THEY have an authority, but in subordination to the king, and derived from him, as his parliament, Indeed, this is a

main question, and hath very weighty arguments on both sides, 'Whether the authority of both the houses be a subordinate authority, and derived from the king as its original?' Three reasons seem strong for the affirmative: First, Because it is his parliament, so called and acknowledged: If his court, then the power whereby they are a court in his power, derived from him, as the power of other courts is. Secondly, Because he hath the power of calling and dissolving it. Thirdly, Because he is acknowledged in the oaths of allegiance and supremacy to be the head, and of supreme authority in the kingdom, and all subject to him.

And whereas some make answer, That he is *singulis major*, but *universis minor*, so the answerer to Doctor Fern,\* I wonder that the proposition of the observator, that the king is *universis minor*, should be so much exploded. Every member *seorsim* is a subject, but all *collectim* in their houses are not: and he says simply, The houses are co-ordinate to the king, not subordinate; that the lords stile *comites*, or *peers*, implies in parliament a co-ordinative society with his majesty in the government. I conceive this answerer to avoid one extream falls on another; for this is a very overthrow of all monarchy, and to reduce all government to democracy: for look, where the *apex potestatis* is, there is the government. Also it is against common reason: for the king, Is he not king of the kingdom? And what is the kingdom but all united? All the particulars knit together in one body politick? So that, if he be king of the the kingdom, he is *universis major* too; for the king is *major*, and the kingdom is the united universe of the people. Thus those expressions are some of them false, some though *secundum quid* true; yet spoken simply, and in that manner, are scandalous, and incompatible to monarchy. Thus you see what may be said on the one side, to prove the king to be the original of all power, even of that which is in the houses of parliament assembled.

On the other side are as weighty arguments to prove the contrary, viz. That the two houses authority is not dependent, nor derived from the royal power. First, The authority of the houses, being legislative, is the supreme, and so cannot be derived. Three concurrent powers producing one supreme act, as con-cause, joint causes of the same highest effect, cannot have a subordination among themselves in respect of that causality; it not being imaginable how a power can cause the supreme effect, and yet be a subordinate and derived power. Secondly, The end of constituting these two estates being the limiting and preventing the excesses of the third, their power must not be totally dependent, and derived from the third, for then it were unsuitable for the end for which it was ordained: for to limit an agent, by a power subordinate and depending on himself, is all one as to leave him at large without any limitation at all. Thirdly, That, which hath been spoken of a mixed monarchy, doth fully prove, that the two other powers which concur with the monarch, to constitute the mixture, must not be

\* Treatise Intituled, A fuller Answer to Dr. Fern.

altogether subordinate to it, and derived from it. I must profess these reasons to prevail with me, that I cannot conceive how the authority of the two houses can, in the whole being of it, be a dependent and derived power.

## SECT. IV.

THAT we may find out the truth amidst this potent contradiction of both sides, recourse must be had to the architecture of this government; whereof I must declare myself to be so great an admirer, that whatever more than human wisdom had the contriving of it, whether done at once, or by degrees found out and perfected, I conceive it unparalleled for exactness of true policy in the whole world. Such a care for the sovereignty of the monarch, such a provision for the liberty of the people, and that one may be justly allayed, and yet consist without impeachment of the other, that I wonder how our fore-fathers, in those rude unpolished times, could attain such an accurate composure. First then, suppose a people, either compelled to it by conquest, or agreeing to it by free consent, nobles and commons, set over themselves by publick compact one sovereign, and resign up themselves to him and his heirs, to be governed by such and such fundamental laws. There is a supremacy of power set up, though limited to one course of exercise. Secondly, Then, because in all governments after cases will come, requiring an addition of laws, suppose them covenanting with their sovereign, that, if cause be to constitute any other laws, he shall not by his sole power do that work, but they reserve at first, or afterwards it is granted them (which is all one) a hand of concurrence therein, that they will be bound by no laws, but what they join with him in the making of. Thirdly, Because, tho' the nobles may personally convene, yet the commons (being so many) cannot well come together by themselves to the doing of such a work, it be also agreed, that every corporation of the commons shall have power to depute one or more to be for the whole in this publick legislative business; that so, the nobles by themselves, the commons by their deputies assembling, there may be representatively the whole body, having commission to execute that reserved authority for establishing new laws. Fourthly, Because the occasion and need of making new laws, and authentick expounding the old, would not be constant and perpetual, and it would carry an appearance of a government in which were three heads and chief powers. They did not establish these estates to be constantly existent, but occasionally, as the causes, for which they were ordained, should emerge and happen to be. Fifthly, Because a monarchy was intended, and therefore a supremacy of power (as far as possible) must be reserved for one, it was concluded that these two estates should be assemblies of his subjects sworn to him, and all former laws; the new, which by agreement of powers should be enacted, were to be his laws, and they bound to obey him in them as soon as established: and being supposed that he who was to govern by the laws, and for the further,

ance of whose government the new laws were to be made, should best understand when there was need; and the assembling and dissolving the two estates meeting, was a power of great privilege, it was put into the prince's hand by writ, to convocate and bring to existence, and to adjourn and dismiss such meetings. Sixthly, In process of time, princes not caring much to have their government looked into, or to have any power in act but their own, took advantage of this power of convocating these estates, and did more seldom, than need required, make use of it; whereon provision was made, and a time set, within which an assembly of parliament was to be had. Now, when you have made these suppositions in your mind, you have the very model and platform of this monarchy, and we shall easily find what to answer to the arguments before produced on either side. For, first, it is his parliament, because an assembly of his subjects, convocated by his writ, to be his council, to assist him in making laws for him to govern by: yet not his, as other courts are, altogether deriving their whole authority from the fullness which is in him. Also his power of assembling and dissolving proves him thus far above them, because in their existence they depend on him; but their power and authority, *quoad specificationem*, the being and kind of it, is from original constitution: for they expect no commission and authority from him, more than for their meeting and reducing into existence; but, existing, they work according to the privileges of their constitution, their acts proceeding from their conjunct authority with the king's, not from its subordination to the king's. The oath of allegiance binds them, and respects them as his subjects, to obey him, governing according to established laws: it supposes and is built upon the foundations of this government, and must not be interpreted to overthrow them; he is thereby acknowledged to be supreme, so far as to rule them by laws already made, not so far as to make laws without them, so that it is no derogation to their power; and I believe of these things none can make any question. Therein consists the accurate judgment of the contrivers of this form; they have given so much into the hands of the sovereign, as to make him truly a monarch, and they have reserved so much in the hands of the two estates, as to enable them to preserve their own liberty.

#### CHAP. IV.

*How far forth it is mixed; and what parts of the power are referred to a mixed principle?*

**I** Shall be the briefer in this, because an answer to it may be easily collected out of the precedent questions: for he who knows how far this government is limited, will soon discern how far it is mixed, for the limitation is mostly affected by the mixture: but distinctly, I conceive that there are three parts of the power referred to the joint concurrence of all three estates: so that, either of them not con-

beating or suspending its influence, the rest cannot reduce that power ordinarily and legally into act.

The first is the monothetical power, understanding by it the power of making, and authentickly expounding laws; so that I believe an act cannot have the nature and form of a law of the land, if it proceed from any one or two of these, without the positive concurrence of the third.

Secondly, The power of imposing taxes and payments on men's estates. That the king, by himself, cannot assume men's properties, by requiring impositions not granted him by law, is often confessed; and that the other estates cannot do it by themselves, I conceive it as unquestionable: for it were strange to give that to the secondary and assisting powers, which is denied to the sovereign and principal. If it be objected that every corporation electing deputies, and authorising them to be *vice totius communitatis*, do thereby grant them power, and intrust them as to make laws to bind them, so to dispose of any part of their estate, either by a rate or payment for the publick good: I answer, that they are by that deputation enabled as for one, so for the other; that is, according to the fundamental usage of the kingdom; that is, by the joint consent of the other estates; for, though the house of commons is chosen by the people, yet the representation doth not give them a power which was not in the people. Now the people have no power to do an act which either directly, or by consequence, doth put it in the will and pleasure of any one or two of the estates, to overthrow the other: But this power of opening and shutting the purse of the kingdom is such a power, that, if it be in one or two of the estates, without the third, then, they by that power might necessitate that other to do any act, or disable it from its own defence. This and the legislative power have such a nearness, that they cannot be divided, but must be in the same subject. This is so great a power, that, put it absolutely in any estate single, you make that estate in effect absolute, making the rest dependant and beholden to it for their subsistence.

Thirdly, The power of dispatching the affairs of the kingdom, which are of greatest difficulty and weight, the *ardua regni*, which the writ for convocating the other estates doth mention, supposing thereby that such difficulties are not to be dispatched by the power of one alone; for if they were, Why then are the two other convoked to be assisting? I acknowledge many matters of great moment may be done by the regal power, and in such case it may be said, that the other estates are gathered *ad melius transigendum*, that the advice and sense of the community may be for direction. But I conceive there be two sorts of affairs, which ought not to be transacted without the concurrence of all three. First, Such as concern the publick safety and weal, so far as stable detriment or advantage comes to the whole body, by the well or ill carriage thereof; for then there is the same reason as in making new laws. For why was not the power of making any new laws left in the hands of one, but reserved for the concurrence of all three? Save

because the end of the architects was, that no new thing, which was of so much concernment as the stable good and damage of the kingdom, should be introduced without the consent and advice of the whole. So that, if any business be of that moment, that it is equi-pollent to a law in the publick interest, it should be managed by such an authority and way as that is. Secondly, such as introduce a necessity of publick charge, be it matter of war, or else if, to the effecting of it, the purse of the kingdom be required, it is evident that it ought to be done by the concurrence of all, because they only jointly (as appears before) have power to impose a publick charge on the estates of men. And it were all one to put the power of our estates in the hands of one, as to put the power of such undertakings in his sole hands, which of necessity bring after them an engagement of publick expence.

#### CHAP. V.

*How far forth the two estates may oppose and resist the will of the monarch?*

##### SECT. I.

THIS question is in the general already handled in the first part, so that it will be easy to draw those answers there to this particular here: Therefore conformably to what I then affirmed, I will answer this question by divers positions.

First, The monarch working according to his power, not exceeding the authority which God and the laws have conferred on him, is no way to be opposed either by any or all his subjects, but in conscience to God's ordinance obeyed. This is granted on all sides.

Secondly, If the will and command of the monarch exceed the limits of the law, it ought for the avoidance of scandal and offence to be submitted to, so it be not contrary to God's law, nor bring with it such an evil to ourselves, or the publick, that we cannot be necessary to it by obeying. This also will find no opposition. Disobedience in light cases, in which we are not bound, makes an appearance of slighting the power, and is a disrespect to the person of the magistrate. Therefore Christ, to avoid such offence, would pay tribute, though he tells Peter, he was free, and need not have done it.

Thirdly, If he command a thing which the law gives him no authority to command, and if it be such as would be inconvenient to obey, in this case obedience may lawfully be denied: This also finds allowance from them which stand most for royal power. Doctor Fern in his preface acknowledges obedience to be limited and circumscribed by the established laws of the land, and accordingly to be yielded or denied. And Sect. i. says he, 'We may and ought to deny obedience to such commands of the prince as are unlawful by the law of God, yea by the established laws of the land.' Here he says more than we say, yea more than should be said, as appears in the second position: It is not universally true, that we ought.

Fourthly, If he exceed the limits of the law, and proceed in

courses illegal, means there are which it is agreed upon the subjects may use to reduce him to legal government, so much Doctor Fern allows Sect. iv. Cries to God, Petition to the Prince, Denial of Obedience, Denial of Subsidy, &c.

Fifthly, But the point in controversy is about positive and forcible resistance, the lawfulness of which some do utterly deny, and others do as confidently maintain: But yet this point might be brought to a narrower state than, in the confused handling of it, it usually is: By distinguishing betwixt forcible resistance used against the king's own person, or against inferior officers and instruments, advising to, or executing the illegal commands.

#### SECT. II.

For the First, As I have before expressed myself, Force ought not to be used against the person of the sovereign, on any pretence whatever, by any or all his subjects, even in limited and mixed monarchies: For, if they be truly monarchs, they are irrevocably invested with sovereignty, which sets their persons above all lawful power and force. Also, the Sovereign Power being so conferred on that person, the person and power cannot be really sundered, but the force, which is used to the one, must also violate the other; for power is not in the sovereign as it is in inferior officers: As water is otherwise in the spring than in the channels, and pipes deriving it. It is not inseparably in them, and therefore, they offending, force may be used against them without violation of the ordinance of authority. These arguments prove it unlawful in any: That, which the Doctor brings, I approve as strong against all private force, where he allows defence against the person of the prince himself, so far as to ward his blows, but not to return blows, no, though for natural defence: Because the common-wealth is concerned in his person, Sect. ii. And to divert a private evil, by inducing a publick, is unjust and unlawful: So that, for this point of force against the person of the prince, I think there ought to be no contention. If any have been so rash to hold it lawful on these grounds, that the whole kingdom is above him, because they make him king, and that by miscarriage he may make a forfeiture, and so lay himself open to force: I do judge these grounds very insufficient, unless the kingdom reserve a superiority to itself, or there be a fundamental clause of forfeiture on specified causes; and then it is not properly a monarchy: But all this hath been already handled in the general part.

Secondly, For instruments of oppression of publick liberty, if the wrong be destructive, and no other means of prevention, but force, be left: I am persuaded it may be used, and positive resistance made against them: And, if I find any contradiction from the most rigid patrons of royalty, it must be only in this point. And here I must complain of the indistinct dealing of that Doctor in this matter; who mingleth both these points together, and scarce speaks any thing to resolve men's consciences in this, but speaks either in



general, or else of force against the prince's own person: Whereas I think, the case, which sticks most on the conscience at this time, is this latter: Of opposing misleading and misemployed subjects, which he speaks very little to. Nay, he seems to me, after all his disclaiming of resistance, to come home to us, and, though sparingly, yet to assent to the lawfulness of resistance in this point. For Sect. ii. speaking of David's guard of armed men: He says, it was to secure his person against the cut-throats of Saul, if sent to take away his life: He means to secure it by force, for soldiers are for force: He means no negative securing by flight, for that may be done even against Saul himself: But he speaks of such a securing which might only be against cut-throats. So then he grants securing by force against these: But they went on Saul's command, and mostly with his presence. Again, in the instance of Elisha, he seems to acknowledge the lawfulness of personal defence against the sudden and illegal assaults of messengers; he means by force, for he speaks of such which he will not allow in publick, which can be understood of none, but by force: But it appears the Doctor, in his whole discourse, hath avoided this point of resistance of misemployed subjects; which yet is the alone point which would have given satisfaction: For, before it appears, we agree in all the rest, and in this too for aught I know, he having not distinctly said any thing against it.

### SECT. III.

#### *Whether resistance of instruments of will be lawful.*

Now, concerning this case of forcible resistance of inferior persons misemployed to serve the illegal, destructive commands of the prince, I will do two things. 1. I will maintain my assertion by convincing arguments. 2. I will shew the invalidity of what is said against it.

This, then, is my assertion. The two estates in parliament may lawfully, by force of arms, resist any persons, or number of persons, advising or assisting the king in the performance of a command illegal and destructive to themselves or the publick.

First, Because that force is lawful to be used for the publick conservation, which is no resistance of the ordinance of God, for that is the reason condemning the resistance of the powers. Now, this is no resistance of God's ordinance; for, by it, neither the person of the sovereign is resisted, nor his power; not his person, for we speak of agents employed, not of his own person, nor his power, for the measure of that, in our government, is acknowledged to be the law. And therefore he cannot confer authority beyond law; so that those agents, deriving no authority from him, are mere instruments of his will, unauthorised persons, in their assaults robbers, and, as Dr. Fern calls them, cut-throats. If the case be put, What if the sovereign himself, in person, be present with such assailants, joining his personal assistance in the execution of his commands? It is much to be lamented, that the will of the prince should be so impetuous in

much testimony: Thus it is apparent, that the denial of this power any subverting act, as to hazard his own person in the prosecution of it: Yet, supposing such a case, all counsels and courses must be taken, that no violence be offered to his person, and profession of none intended: But no reason the presence of his person should privilege ruining instruments from suppression, and give them an impunity to spoil and destroy subjects, better than themselves. His person being secured from wrong, his power cannot be violated in such an act, in which none of it can be conferred on the agents. And sure David, though he avoided laying hands, or using any violence against the person of Saul, and on no extremity would have done it; yet, for the cut-throats about him, if no other means would have secured him, he would have rescued himself by force from their outrage, though Saul was in their company, else what intended he by all that force of soldiers, and his enquiry of God at Keilah? By which it is plain he had an intent to have kept the place by force, if the people would have stuck to him: Neither is it to the purpose which the Dr. says, Sect. ii. That his example was extraordinary, because he was anointed, and designed to succeed Saul, for that, being but a designation, did not exempt him from the duty of subjection, for the present, or lessen it, as is plain by the great conscience he made of not touching Saul. But he knew it was one thing to violate Saul's person and power, and another to resist those instruments of tyranny, the cut-throats which were about him.

Secondly, Because, without such power of resistance in the hands of subjects, all distinction and limitation of government is vain, and all forms resolve into absolute and arbitrary; for that is so which is unlimited; and that is unlimited not only which hath no limits set, but also which hath no sufficient limits; for to be restrained from doing what I will, by a power which can restrain me no longer, nor otherwise than I will, is all one, as if I were left at my own will. I take this to be clear: Now, it is as clear, that, unless this forcible resistance of instruments of usurped power be lawful, no sufficient limits can be to the Prince's will, and all laws bounding him are to no purpose. This appears by enumerating the other means, prayer to God, petition to the prince, denial of obedience, denial of subsidy, a moderate use of the power of denying, as Dr. Fern calls it. These are all; but what are these to hinder, if a prince be minded to overthrow all, and bring the whole government to his own will? For prayer and petition, these are put in to fill up the number: They are no limitations; they may be used in the most absolute monarchy. For denial of obedience, that may keep me from being an instrument of publick servitude; but princes wills never want them which will yield obedience, if I deny it; yea, enough to destroy all the rest, if nothing be left them but to suffer. Then for denial of subsidy, if he may, by thousands of instruments, take all, or what he or they please, and I must not resist: What need he care whether the people deny or grant, if a prince be taught that he may do it? Cases and reasons will soon be brought to persuade him, that in them he may lawfully do it, as late experiences have given us too

of resistance of instruments overthrows and makes invalid all government, but that which is absolute, and reduces the whole world *de jure* to an absolute subjection, that is, servitude; for the end of all constitution of moderated forms is not, that the supreme power might not lawfully exorbitate, but that it might have no power to exorbitate.

The doctor is conscious hereof, and therefore tells us, in his Sect. v. This is the very reason which is made for the Pope's power of curbing and deposing kings in case of heresy, because else the church, says the Papist, hath no means for the maintenance of the catholick faith, and its own safety. But who sees not the vast difference betwixt these two? And that the same reason may be concluding here, which is apparently non-concluding there. For, 1. they thereby would draw to the Pope an authoritative power, we no such superior power, but only a power of resistance for self-conservation, which nature and the law of reason gives to every one, and may stand with the condition of subjection and inferiority. 2. They, on this reason, give the Pope a power over the very person of the king, we only of resisting of unauthorised, invading destroyers, coming under the colour of an authority which is not in the sovereign to be derived. 3. They prove a civil right for spiritual reasons, we only for civil reasons. 4. The church and the faith are constituted in their very formal being from Christ himself, who is the head and great shepherd immediately in his own person; and, as it is his own family, so he keeps the power of preserving it in his own hands, having made direct and particular promises to assure us of their upholding against all subversion by his own power; so that here is assurance enough without visible means of force for a spiritual body, which lives by faith. But in a civil state there is no such assurance, nor supporting promises, power only, in the undefined being of it, being God's immediate ordinance, and not in this specified or determinate being; wherefore it hath no such immediate provision made for its preservation, no promise of a divine power for its standing: But as it is left by God to men's wisdom to contrive the frame, so to their providence to establish means of preservation. As the body is outward and civil, so the upholding means must be such, spiritually and infallibly assuring a formed state hath not, as the church and faith have; if there be none of outward force and power neither, then none at all it hath, and is in ill case indeed. But there is an art full of venom, when a truth cannot be beaten down by just reasoning, then to make it odious by hateful comparisons; so in this case aspersions are cast, as if the patrons of resistance did borrow the Popish and jesuitical grounds, and their positions as dangerous to kings, as the Jesuits hell-bred and bloody principles: Whereas it appears, by all this discourse, and I am persuaded is written in capital letters in the very consciences of them which despitigfully object it, that there is no congruity at all betwixt their doctrines, no more than betwixt light and darkness.

Thirdly, Because such power is due to a publick state for its preservation, as is due to a particular person. But every

particular person may lawfully, by force, resist illegal destructive ministers, though sent by the command of a legal sovereign, provided no other means of self-preservation be enough. This assumption the doctor seems to grant; he denies it to be lawful against the person of the prince, but, in effect, yields it against subordinate persons. But the main is against the proposition; and the doctor is so heavy a friend to the state, that he thinks it not fit to allow it that liberty he gives every private man. But, whose judgment will concur with his herein, I cannot imagine; for sure the reason is greater, the publick safety being far more precious and able to satisfy the damages of a publick resistance, than one particular man's is of a private. But of this more in answer to his reasons.

Fourthly, Because it is a power put into the two estates by the very reason of their institution; and therefore they not only may, but also ought to use it for publick safety; yea, they should betray the very trust reposed in them, by the fundamentals of the kingdom, if they should not. An authority legislative they have: Now to make laws, and to preserve laws, are acts of the same power; yea, if three powers jointly have interest in making of laws, surely either of these severally have, and ought to use that power in preserving them: Also, that the authority which the houses have is as well given them for preserving the government by established laws, as for establishment of laws to govern by, is a truth proved by the constant use of their power to that end, in correcting the exorbitance of inferior courts, and questioning delinquent judges and officers of state for violations; and much is done in this kind by the sole authority of the houses, without the concurrence or expectance of royal power: So then, supposing they have such an authority for safety of publick government, to question or censure inferior officers for transgressions, though pretending the king's authority, can it be denied but that their authority will bear them out to use forcible resistance against such, be they more or fewer?

Fifthly, The king's warrant, under his hand, exempts not a malefactor from the censure of a court of justice, nor punishment imposed by law, but the judge must proceed against him according to law; for the law is the king's publick and authoritative will; but a private warrant to do an unlawful act, is his private and unauthoritative will; wherefore the judge ought to take no notice of such warrant, but to deal with the offender as no other than a private man. This proves that such instruments, thus illegally warranted, are not authorised, and therefore their violence may be, by force, resisted, as the assaults of private men, by any; and then much rather by the houses of parliament; which, supposing them divided from the king to have no complete authority, yet, sure they have two parts of the greatest legislative authority. But I fear I shall seem superfluous, in producing arguments to prove so clear a truth. Is it credible that any one will maintain so abject an esteem of their authority, that it will not extend to resistance of private men, who should endeavour the subversion of the whole frame of government, on no other warrant than the king's will and pleasure? Must they be merely pas-

sive? Is patience, and the denial of their votes to a subversion, all the opposition they must use, if a king (which God forbid) should, on his royal pleasure, send cut-throats to destroy them as they sit in their houses? Is all their authority (if the king desert them or worse) no more than to petition, and suffer; and, by a moderate use of their power of denying, dissent from being willing to be destroyed? If the power of resisting by force subverters armed by the king's will (for by his authority they cannot) be unlawful for them, all these absurdities must follow: Yea, the vilest instrument of oppression, shewing but a warrant from the king to bear him out, may range and rage all his days through a kingdom, to waste and spoil, tax and distrain, and at the utmost of his insolence, must have no more done to him by the parliament itself, than to stay his hand, as the basest servant may his master's, or the meanest subject the king's own hand, by the doctor's own confession. Consider them, and admire, if any man of learning will deny this power of forcible resistance of ministers, of subverting commands to be lawful. I have, thus far, confirmed my assertion, not that I find any openly opposing it, but because the doctor and some others seem to have a mind that way, and do strike at it, though not professedly and in open dispute.

For the several proofs brought in behalf of resistance, some of them prove as much as is here asserted; others are not to the purpose: Particularly, that of the people's rescuing Jonathan from his father's bloody resolution, proves the lawfulness of hindering unreasonable self-destructive purposes, even in absolute monarchies, if it prove any thing. That of Uzzah's thrusting out by the priests, is not to the purpose; but David's raising and keeping forces about him, and his purpose at Keilah, proves the point directly, viz. lawfulness of forcible resistance of cut-throats, even though Saul himself were in presence: This the doctor sees plainly, and therefore shuffles it off, by saying, his example is extraordinary; as if he were not a present subject, because he was designed by God's revealed counsel to be a future king. And he confesses Elisha's example, of shutting the door against the king's messenger, proves personal defence against sudden illegal assaults of messengers, which is the thing in question.

#### SECT. IV.

##### *Arguments on the contrary dissolved.*

LET us now view the strength of what is said against resistance, whether any thing comes home against this assertion. The doctor's proofs from the Old Testament come not to the matter: Moses, and afterwards the kings, were of God's particular designation, setting them absolutely over the people, on no condition or limitation; so that, did they prove any thing, yet they concern not us, respecting a government of another nature: But particularly, that of Corah, and the princes, rebelling against Moses, is not to the matter; it was a resistance of Moses's own person and office; and, doubtless, perjury of other proofs caused this, and the rest here, to be alledged: For that, 1 Sam. viii. 18, how inconsequent is it to say, the people

should cry unto the Lord, therefore they had no other means to help them but cries to God; though, I confess, in that monarchy they had not. That speech, 1 Sam. xxvi, 9, was most true there, and is as true here, but not to the purpose, being spoken of the king's own person. But the main authority, brought against resistance, is that, Rom. xiii. and on that Dr. Fern builds his whole discourse. Let us therefore something more largely consider what is deduced out of that text: First, he supposes the king to be the supreme in St. Peter, and the higher power in St. Paul. Secondly, He collects all persons; every soul is forbidden to resist. Thirdly, That then was a standing senate, which, not long before, had the supreme power in the Roman state, it is confessed; but that they could challenge more at that time when St. Paul writ, than our great council will or can, I deny; for, that state devolving into monarchy by conquest, they were brought under an absolute monarchy, the senate itself swearing full subjection to the prince; his edicts and acts of will were laws, and the senate's consent only *pro forma*, and at pleasure required. He who reads Tacitus, cannot but see the senate brought to a condition of basest servitude, and all laws and lives depending on the will of the prince: I wonder then the doctor should make such a parallel. Indeed, the senate had been far more than ever our parliaments were, or ought to be; but now, that was far less than our parliament hath been, or, I hope, ever will be: They were become the sworn vassals of an absolute emperor; ours, the sworn subjects of a liege or legal prince. Fourthly, he says, Then was more cause of resistance, when kings were enemies to religion, and had overthrown laws and liberties. I answer, there were no causes for resistance; not their enmity to religion, had they but a legal power, because religion then was no part of the laws, and so its violation was no subversion of established government. And, for the overthrow of laws and liberties, that was past and done, and the government new, the senate and all the rest actually sworn to absolute principality. Now an ordinance of absolute monarchy was constituted, the sacred bond of an oath had made it inviolate. But what would he infer hence, all being granted him? Sure this he doth intend, that every soul amongst us, several, and conjoined in a senate, must be subject for conscience, must not resist, under pain of damnation. All this, and whatever besides he can justly infer out of this text, we readily grant. But can any living man hence collect, that therefore no resistance may be made to fellow-subjects, executing destructive illegal acts of the prince's will in a legal monarchy? Will he affirm that the ordinance of God is resisted, and damnation incurred thereby? God's ordinance is the power, and the person invested with that power; but here, force is offered to neither, as before I have made it appear. And herein we have Bishop Bilson consenting, where he says, \* that the superior power, here forbidden to be resisted, is not the prince's will against his laws, but agreeing with his laws. I think the day itself is not more clear than this satisfaction, to all

\* Bilson of Subjection, p. 26, and 280.

that can be concluded out of that text ; so the foundation of all that discourse is taken from it, if his intent was thence to prove unlawfulness of resistance of instruments of arbitrariness in this kingdom.

Let us also consider the force of his reasons, whether they impugn this point in hand. He says, such power of resistance would be no fit means of safety to a state, but prove a remedy worse than the diseases. His reasons, 1. Because it doth tend to the overthrow of that order, which is the life of a commonwealth ; it would open a way to people, upon the like pretences, to resist, and even overthrow power duly administered. 2. It may proceed to a change of government. 3. It is accompanied with the evils of civil war. 4. On the same ground the two houses proceed against the king, may the people proceed to resistance against them, accusing them not to discharge their trust. Lastly, seeing some must be trusted in every state, it is reason the highest and final trust should be in the highest power. These are his main reasons on which he builds his conclusion against resistance.

To his first, I say, it were strange, if resistance of destructive disorder should tend to the overthrow of order. It may, for the time, disturb, as physick, while it is in working, disturbs the natural body, if the peccant humours make strong opposition ; but sure it tends to health, and so doth this resistance of disorder to order. Neither would it open a way for the people to violate the powers ; for doing right can open no way to the doing of wrong. If any wicked seditious spirits should make use of the veil of justice to cover unnatural rebellion, shall a people's right and liberty be taken from them to prevent such possible abuse ? Rather let the foulness of such pretences discover itself, so God and good men will abhor them ; such clokes of rebellion have, in former ages, been taken off, and the authors brought to just confusion, without the expence of the liberties of this kingdom.

To the second, must not instruments be resisted, which actually intend, and seek a change of government, because such resistance may proceed to a change of government ? Is not an unlikely possibility of change to be hazarded, rather than a certain one suffered ? But I say, it cannot proceed to a change of government, unless it exceed the measure of lawful resistance ; yea, it is impossible that resistance of instruments should ever proceed to a change of government ; for that includeth the greatest resistance and violation of the person and power of the monarch, the lawfulness of which I utterly disclaim.

Thirdly, It is not ever accompanied with the evils of civil war, but when the prince's will finds enough instruments of their country's ruin to raise it ; and then the mischiefs of that war must light on those which raise it. But suppose it may ensue, yet a temporary evil of war is to be chosen rather than a perpetual loss of liberty, and subversion of the established frame of a government.

In the fourth, I deny the parity of reason ; for the two houses are bodies constituted and endowed with legislative authority, and

trust of preservation of the frame, by the fundamentals of the kingdom; which the people, out of those houses, are not. Again, the government being composed of a threefold consenting power, one to restrain the exorbitance of another: All three together are absolute and equivalent to the power of the most absolute monarch. The concurrent will of all three makes a law, and so it is the kingdom's law.

To the last, I answer, In every state some must be trusted, and the highest trust is in him who hath the supreme power. These two, the supreme trust, and the supreme power, are inseparable; and such as the power is, such is the trust; an absolute power supposes an absolute trust! A power, allied with the connexion of another power, as here it is, supposeth a trust of the same nature. A joint trust, yet, saving the supremacy of the monarch, so far forth as it may be saved, and not be absolute, and the other's authority nullified. It may be further argued, that it being the prerogative royal to have the managing of the sword, that is, legal force in the kingdom; none can, on any pretence whatever, use lawful force, either against him, or any, but by his will; for it is committed to him by law, and to none but whom he assigns it to; so that the laws of the kingdom, putting all power of force and arms into his trust, have placed him, and all those who serve him, in a state of irresistibleness in respect of any lawful force. This is a point much stood on, and, on this ground, the parliament now assuming the disposing of the militia by an ordinance, it is complained on, as a usurping of what the law hath committed to the king, as his prerogative; the opposing of which ordinance, by a commission of array, was the beginning of this miserable civil war. I will distinctly lay down my answer hereto, submitting it to every impartial judgment.

1. The power of the sword, being for defence of the laws, by punishing violators, and protecting subjects, it is subservient to government, and must needs belong to him who is intrusted with the government, as a necessary requisite, without which he cannot perform his trust.

2. As it is an appendix to the power of government, and goes along with it, so it goes under the same terms, belonging to the prince, as the other doth, *scil.* absolutely, to use at will, where the monarchy is absolute, or with limitation, to use according to law, where the monarchy is limited; so that, in this government, the arms and sword of the kingdom is the king's, to a defined use committed to him, viz. For defence of the laws and frame of government established, and not for arbitrary purposes, or to inable ministers to execute commands of mere will.

3. The two houses, in vertue of the legislative authority, in part residing in them, are interested in the preservation of laws and government, as well as the king; And, in case the king should misemploy that power of arms to strengthen subverting instruments; or, in case the laws and government be in apparent danger, the king refusing to use the sword to that end of preservation for which it was committed to him; I say, in this case, the two estates may, by



an extraordinary and temporary ordinance, assume those arms where, with the king is intrusted, and perform the king's trust: And, though such ordinance of theirs is not formally legal, yet it is eminently legal, justified by the very intent of the architects of the government, when, for these uses, they committed the arms to the king. And no doubt they may command the strength of the kingdom, to save the being of the kingdom: For none can reasonably imagine the architectonical powers, when they committed the power of government and arms to one, to preserve the frame they had composed, did thereby intend to disable any, much less the two estates, from preserving it, in case the king should fail to do it in this last need. And, thus doing the king's work, it ought to be interpreted as done by his will; because, as the law is his will, so that the law should be preserved is his will, which he expressed when he undertook the government; it is his deliberate will, and ought to be done, though at any time he oppose it by an after will, for that is his sudden will, as Dr. Fern himself, Sect. i. doth teach us to distinguish.

#### CHAP. VI.

*In what cases the other Estates may, without, or against the King's Personal consent, assume the arms of the kingdom?*

##### SECT. 1.

*Whether it be lawful to take up arms against the Magistrate, perverting his power to a wrong end?*

WHOEVER were the authors of that book lately published, stiled, 'Scripture and reason pleaded for defensive arms,' have laid new and over-large grounds for resistance. Two assertions they endeavour to maintain: First, 'Those governors (whether supreme, or others) who, under pretence of authority from God's ordinance, disturb the quiet and peaceable life in godliness and honesty, are far from being God's ordinance, in so doing, Sect. iii. Secondly, this tyranny, not being God's ordinance, they, which resist it even with arms, resist not the ordinance of God.' Hereon, Sect. iv. They free christians, even in the Apostle's time, and so under the Roman Emperors, or any other government, from a necessity of passive subjection in case of persecution; affirming, that the christians, in those first persecutions, had they been strong enough, might have used arms for defence against the tyranny of their emperors. Their ground is from the reasons used by the apostle, Rom. xiii. where he commands subjection, and forbids resistance to the higher powers, because they are God's ordinance, his ministers, for praise to well doers, for terror to evil doers. But I must profess myself to dissent from them in this opinion, conceiving, that the apostle, in urging those reasons drawn from the ends of power, doth intend to press them to subjection, by shewing them what benefit comes to men by authority in its due use; and not to shew them how far they are bound to be subject, and in what cases they may resist: For, had he had such

a meaning at that time, when the governors did altogether cross those ends of their ordination, he had taught them rather a doctrine of resistance, than subjection. Shall we conceive, that he would press subjection to powers in the hands of heathens and persecutors, if he had not intended they should passively be subject unto them, even under those persecutions? Rather I approve the received doctrine of the saints in ancient and modern times, who could never find this licence in that place of the apostle, and do concur with Master Burroughs, professing against resistance of authority, though abused: 'If those (saith he, in his answer to Dr. Fern, Sect. ii.) who have power to make laws, make sinful laws, and so give authority to any to force obedience, we say, here there must be either flying, or passive obedience.' And again: 'We acknowledge, we must not resist for religion, if the laws of the land be against it.' But what do they say against this? In making such laws against religion, the magistrates are not God's ordinance; and therefore to resist is not to resist God's ordinance: As an inferior magistrate, who hath a commission of power for such ends, is resistible, if he exceed his commission, and abuse his power for other ends; so princes, being God's ministers, and having a deputed commission from him to such ends (viz. the promotion of godliness, peace, and justice) if they pervert their power to contrary ends, may be resisted, without violation of God's ordinance: That I may give a satisfactory answer to this, which is the sum of their long discourse, I must lay it down in several assertions.

First, I acknowledge, God's ordinance is not only power, but power for such ends, *scil.* the good of the people.

Secondly, It is also God's ordinance, that there should be in men, by publick consent called thereto, and invested therein, a power to chuse the means, the laws and rules of government conducing to that end; and a judging, in relation to those laws, who be the well-doers, which ought to be praised, and who the evil doers, who ought to be punished. This is as fully God's ordinance, as the former; for, without this, the other cannot be performed.

Thirdly, When they, who have this final civil judicature, shall censure good men as evil-doers, or establish iniquity by a law, to the encouragement of evil-doers; in this case, if it be a subordinate magistrate that doth it, appeal must be made (as St. Paul did) to the supreme; if it be the supreme, which, through mistake, or corruption, doth miscensure, from whom there lies no civil appeal, then, without resistance of that judgment, we must passively submit. And he, who in his own knowledge of innocency, or goodness of his cause, shall by force resist, that man erects a tribunal in his own heart against the magistrate's tribunal; clears himself by a private judgment against a publick, and executes his own sentence by force against the magistrate's sentence, which he hath repealed and made void in his own heart. In unjust censures by the highest magistrates, from whom there is no appeal, but to God, the sentence cannot be opposed, till God reverse it, to whom we have appealed. In the mean time we must suffer, as Christ did, notwithstanding our

appeal, 1 Pet. ii. 23. and so must we, notwithstanding our appeal; 1 Pet. iv. 19. for he did so for our example. If an appeal to God, or a censure in the judgment of the condemned, might give him power of resistance, none would be guilty, or submit to the magistrate's censure, any further than they please. I desire those authors, before they settle their judgment in such grounds (which, I fear, will bring too much scandal) to weigh these particulars: First, their opinion takes away from the magistrate the chief part of God's ordinance, *scil.* power of definitive judgment of laws and persons, who are the good, and who the bad, to be held so in civil proceedings. Secondly, They justify the conscience of papists, hereticks, and grossest malefactors, to resist the magistrate, in case they be persuaded their cause be good. Thirdly, they draw men off from the commands of patience under persecution, and conforming to Christ and his Apostles, in their patient enduring without verbal, or real opposition, though Christ could not have wanted power to have done it, as he tells Peter. Fourthly, They deprive the primitive and modern martyrs of the glory of suffering, imputing it either to their ignorance, or disability. Fifthly, It is a wonder, that since, in Christ's and his Apostles time, there was so much use of this power of resistance, they would by no express word shew the christians this liberty, but condemn resistance so severely. Sixthly, There is, in the case of the parliament now taking up arms, no need of these offensive grounds, religion being now a part of our national law, and cannot suffer, but the law must suffer with it.

## SECT. II.

1. *When arms ought not to be assumed.*
2. *When they may be assumed.*

Now to the proposed question I answer, First, *Negatively, scil.* 1. It ought not to be done against all illegal proceedings, but such which are subversive and unsufferable. Secondly, Not publick resistance, but in excesses inducing publick evils. For to repel private injuries of the highest nature with publick hazard and disturbance, will not quit cost, unless in a private case the common liberty be struck at. Thirdly, not when the government is actually subverted, and a new form (though never so injuriously) set up, and the people already engaged in an oath of absolute subjection; for the remedy comes too late, and the establishment of the new makes the former irrevocable by any justifiable power, within the compass of that oath of God: This was the case of the Senate of Rome, in St. Paul's time. Secondly, affirmatively: I conceive three cases, when the other estates may lawfully assume the force of the kingdom, the king not joining, or dissenting, though the same be by law committed to him: First, When there is invasion actually made, or imminently feared, by a foreign power. Secondly, When by an intestine faction the laws and frame of government are secretly undermined, or openly assaulted: In both these cases, the being of the govern-

ment being endangered, their trust binds, as to assist the king in securing, so to secure it by themselves, the king refusing. In extreme necessities, the liberty of voices cannot take place, neither ought a negative voice to hinder in this exigence, there being no freedom of deliberation and choice, when the question is about the last end: their assuming the sword, in these cases, is for the king, whose being (as king) depends on the being of the kingdom; and, being interpretatively his act, is no disparagement of his prerogative. Thirdly, in case the fundamental rights of either of the three estates be invaded by one or both the rest, the wronged may lawfully assume force for its own defence: because else it were not free, but dependent on the pleasure of the other. Also the suppression of either of them, or the diminishing of their fundamental rights, carries with it the dissolution of the government: And therefore those grounds, which justify force to preserve its being, allow this case, which is a direct innovation of its being and frame.

## CHAP. VII.

*Where the Legal Power of Final Judging in these cases doth reside, in case the three Estates differ about the same?*

## SECT. I.

*The Question stated. Determination of the Question.*

In this question (for our more distinct proceeding) some things are necessarily to be observed: First, That we meddle not here with the judicature of questions of an inferior nature, viz. Such as are betwixt subject and subject, or the king and a subject, in a matter of particular right, which may be decided another way, without detriment of the publick frame, or diminution of the privileges of either of the three estates. Secondly, difference is to be made even in the questions of utmost danger. First, For it may be alledged to be either from without, by invasion of foreign enemies, or by a confederacy of intestine subverters, in which neither of the three estates are alledged to be interested, and so the case may be judged without relation to either of them, or detriment to their privileges. Here I conceive a greater latitude of power may be given to some to judge without the other; for it infers not a subordinating of any of the three to the other. Secondly, Or else it may be alledged by one or two of the estates against the other, that, not contenting itself with the powers allowed to it by the laws of the government, it seeks to swallow up, or intrench on the privileges of the other, either by immediate endeavours, or else by protecting and interesting itself in the subversive plots of other men. Thirdly, In this case we must also distinguish betwixt, First, Authority of raising forces for defence against such subversion, being known and evident: Secondly, and authority of judging and final determining, that the accused estate is guilty of such design and endeavour of subversion, when it is denied and protested against. This last is the

particular in this question to be considered ; not, whether the people are bound to obey the authority of two, or one of the legislative estates, in resisting the subversive estates of the other, being apparent and self-evident? Which I take in this treatise to be clear. But, when such plea of subversion is more obscure and questionable, which of the three estates hath the power of ultimate and supreme judicature, by vote or sentence to determine it against the other? So that the people are bound to rest in that determination, and accordingly to give their assistance, *eo nomine*, because it is by such power so noted and declared.

For my part, in so great a cause, if my earnest desire of publick good and peace may justify me to deliver my mind, I will prescribe to the very question; for it includes a solecism in government of a mixed temperature: to demand which estate may challenge this power of final determination of fundamental controversies arising betwixt them, is to demand which of them shall be absolute. For I conceive, that, in the first part hereof, I have made it good, that this final utmost controversy, arising betwixt the three legislative estates, can have no legal constituted judge in a mixed government: For, in such difference, he who affirms, that the people are bound to follow the judgment of the king against that of the parliament, destroys the mixture into absoluteness. And he who affirms, that they are bound to cleave to the judgment of the two houses against that of the king, resolves the monarchy into an aristocracy, or democracy, according as he places this final judgment. Whereas I take it to be an evident truth, that, in a mixed government, no power is to be attributed to either estate, which directly, or by necessary consequence, destroys the liberty of the other.

## SECT. II.

*Dissolution of the Arguments, placing it in the King; and of the arguments placing it in the two Houses.*

YET it is strange to see how, in this epidemical division of the kingdom, the abettors of both parts claim this unconcessible judgment. But let us leave both sides, pleading for that which we can grant neither, and weigh the strength of their arguments.

First, Dr. Fern lays down two reasons, why this final judgment should belong to the king: 1. Monarchy, says he, Sect. V. settles the chief power and final judgment in one. This position of his can be absolutely true no where, but in absolute monarchies: And, in effect, his book knows no other than absolute government. 2. Seeing some one must be trusted in every state, 'It is reason, says he, Sect. V. the highest and final trust should be in the highest and supreme power.' I presume by final trust, he means the trust of determining these supreme and final disagreements: And accordingly I answer, it is not necessary that any one be trusted with a binding power of judicature in these cases; for, by the foundations of this government, none is, yea, none can be trusted with it; for to im-

tend a mixed government, and yet to settle the last resolution of all judgment in one, is to contradict their very intention. Neither in a constituted government must we dispose of powers according to the guess of our reason, for men's apprehensions are various: the doctor thinks this power fittest for the king; his answers judge it fittest for the two houses, and give their reasons for it too. Powers must there reside, where they are *de facto* by the architects of a government placed. He who can bring a fundamental act stating this power in any, says something to the matter; but, to give our conjectures where it should be, is but to provide fuel for contention.

On the contrary, the author of that which is called, 'A full answer to the doctor,' hath two main assertions placing this judgment in the two houses.

1. The final and casting result of this state's judgment concerning what these laws, dangers, and means of prevention are, resides in the two houses of parliament, says he, p. 10.

2. In this final resolution of the state's judgment, the people are to rest, *ibidem*, page 14. Good Lord! What extreme opposition is between these two sorts of men? If the maintenance of these extreams be the ground of this war, then our kingdom is miserable, and our government lost, which side soever overcome: For I have, more than once, made it good, that these assertions are destructive on both sides. But I am rather persuaded, that these officious propugners overdo their work, and give more to them whose cause they plead, than they ever intended to assume: Nay, rather give to every one their due, give no power to one of these three to crush, and undo the other at pleasure. But why doth this answer give all that to the two houses, which heretofore they would not suffer, when the judges in the case of ship money had given it to the king? Sure, when they denied it to him, they did not intend it to themselves. 1. He tells us, In them resides the reason of the state: And that the same reason and judgment of the state, which first gave this government its being and constitution; therefore all the people are to be led by it, and submit to it as their publick reason and judgment.

I answer: If by state he mean the whole kingdom, I say, the reason of the two houses, divided from the king, is not the reason of the kingdom, for it is not the king's reason, who is the head and chief in the kingdom. If by state be meant the people, then it must be granted, that, as far forth as they represent them, their reason is to be accounted the reason of the kingdom, and doth bind so far forth as the publick reason of the kingdom can bind, after they have restrained their reason and will to a condition of subjection; so that, put the case it be the reason of the state, yet not the same which gave this government its being; for then it was the reason of a state, yet free, and to use their reason and judgment in ordaining a government. But now the reason of state is bound by oath to a government, and not at liberty to resolve again; or to assume a supreme power of judging, destructive to the frame of government they have established, and restrained themselves unto. Their reason is ours, so far as they are an ordained representative body: But I have be-

fore demonstrated, that, in this frame, the houses could not be ordained a legal tribunal to pass judgment in the last case: For then the architects, by giving them that judicature, had subordinated the king to them, and so had constituted no monarchy. 2. He argues, the parliament being the court of supreme judicature, and the king's great and highest council, therefore that is not to be denied to it, which inferior courts ordinarily have power to do, viz. to judge matters of right between the king and subject, yea, in the highest case of all: The king's power to tax the subject in case of danger, and his being sole judge of that danger, was brought to cognisance, and passed by the judges in the exchequer. I answer, 1. There is not the same reason betwixt the parliament and other courts. In these the king is judge, the judges being deputed by him, and judging by his authority; so that, if any of his rights be tried before them, it is his own judgment, and he judges himself; and therefore it is fit he should be bound by his own sentence: But, in parliament, the king and people are judges, and not by an authority derived from him, but originally invested in themselves. So that, when the two estates judge without him in any case not prejudged by him, it cannot be called his judgment (as that of the other courts, being done by his authority), and, if he be bound by any judgment of the two estates without him, he is bound by an external power which is not his own; that is, he is subordinated to another power in the state where he is supreme, which is contradictory. 2. In other courts, if any case of right be judged betwixt him and the subject, they are cases of particular rights, which diminish not royalty, if determined against him: Or, if they pass cases of general right (as they did in that of ship-money) it is but declaratively to shew what is by law due to one and the other; yet their judgment is revocable, and liable to a repeal by a superior court, as that was by parliament. But, if the king's prerogatives should be subjected to the judgment of the two estates, the king dissenting, then he should be subject to a sentence in the highest court, and so irremediable; a judicatory should be set up to determine of his highest rights without him, from which he could have no remedy. Thus main causes may be alleged, why, though other courts do judge his rights, yet the two estates in parliament (without him) cannot; and it is from no defect in their power, but rather from the eminency of it, that they cannot. If one deputed by common consent of three doth, by the power they have given them, determine controversies between those three, it is not for either of them to challenge right to judge those cases, because one who is inferior to them doth it. Indeed if the power of the two houses were a deputed power, as the power of other courts is, this argument were of good strength; but, they being concurrents in a supreme court by a power originally their own, I conceive it hard to put the power of final judgment in all controversies betwixt him and them exclusively or solely into their hands.

## SECT. III.

*What is to be done in such a contention ?*

If it be demanded, then, how this cause can be decided? And which way must the people turn in such a contention? I answer, if the non-decision be tolerable, it must remain undecided, whilst the principle of legal decision is thus divided, and by that division each suspends the other's power. If it be such as is destructive, and necessitates a determination, this must be evident; and then every person must aid that part, which, in his best reason and judgment, stands for publick good against the destructive. And the laws and government which he stands for, and is sworn to, justify and bear him out in it, yea bind him to it. If any wonder I should justify a power in the two houses, to resist and command aid against any agents of destructive commands of the king, and yet not allow them power of judging when those agents or commands are destructive: I answer, I do not simply deny them a power of judging and declaring this; but I deny them to be a legal court ordained to judge of this case authoritatively, so as to bind all people to receive and rest in their judgment for conscience of its authority, and because they have voted it. It is the evidence, not the power of their votes, must bind our reason and practice in this case. We ought to conceive their votes the discoveries made by the best eyes of the kingdom, and which, in likelihood, should see most: But, when they vote a thing against the proceedings of the third and supreme estate, our consciences must have evidence of truth to guide them, and not the sole authority of votes, and that for the reason so often alledged.

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 REASONS FOR CROWNING

THE

## PRINCE AND PRINCESS OF ORANGE,

## KING AND QUEEN JOINTLY,

*And for placing the Executive Power in the Prince alone,*

London, printed in the Year 1689. Folio, containing one page.

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**W**HEREAS the grand convention of the Estates of England, have asserted the people's rights, by declaring, 'That the late King James the Second, having endeavoured to subvert the constitution of the kingdom, by breaking the original contract between king and people, and, by advice of Jesuits and other wicked persons, having violated the fundamental laws, and having withdrawn himself out



'out of this kingdom, has abdicated the government; and that the 'throne is thereby vacant.' For which misgovernment, he has forfeited the trust of the regal inheritance of the executive power, both in himself, and in his heirs, lineal and collateral; so that the same is devolved back to the people, who have also the legislative authority, and consequently may of right give, and dispose thereof, by their representatives, for their future peace, benefit, security, and government, according to their good-will and pleasure. And, forasmuch as it is absolutely necessary at all times, but in this dangerous conjuncture especially, that the government be speedily settled on sure and lasting foundations; and consequently that such person or persons be immediately placed in the throne, in whom the nation has most reason to repose an intire confidence; it, therefore, now lies upon us to make so judicious a choice, that we may, in all human probability, thereby render ourselves a happy people, and give our posterity cause to rejoice, when they read the proceedings of this wise and grand convention. Who is it, therefore, that has so highly merited the love and good opinion of the people, the honour of wearing the crown, and swaying the scepter of this land, as his illustrious Highness the Prince of Orange? Who, with so great expence, hazard, conduct, courage, and generosity, has happily rescued us from popery and slavery, and, with so much gallantry, restored us to our ancient rights, religion, laws, liberties, and properties; for which heroick action, we can do no less, in prudence, honour, and gratitude, than pray him to accept our crown.

II. It is better to settle the exercise of the government in one who is not immediate in the line, than in one that is. 1. Because it is a clear asserting of a fundamental right, that manifests the constitution of the English government, and covers the subjects from tyranny and slavery. 2. It cuts off the dispute of the pretended Prince of Wales. 3. The old succession being legally dissolved, and a new one made, the government is secured from falling into the hands of a Papist.

III. The making the Prince and Princess of Orange, king and queen jointly, is the nation's gratitude and generosity; and, by re-continuing the line in remainder, is manifested the inestimable value the people have for the two princesses, notwithstanding the male-administration of their unhappy father.

IV. The present state of Europe in general, and of these kingdoms in particular, requires a vigorous and masculine administration. To recover what is lost, rescue what is in danger, and rectify what is amiss, cannot be effected, but by a prince that is consummate in the arts both of peace and war. Though the prince and princess be king and queen jointly, and will equally share the glory of a crown, and we the happiness of their auspicious reign; yet the wisdom of the grand convention is manifested, First, In placing the executive power in one of them, and not in both; for two persons equal in authority, may differ in opinion, and consequently in command; and it is evident, no man can serve two masters. Secondly, It is highly necessary and prudent, rather to vest the ad-

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ministration in the husband, than in the wife. 1. Because a man, by nature, education, and experience, is generally rendered more capable to govern, than the woman; therefore, 2. The husband ought rather to rule the wife, than the wife the husband, especially considering the vow in matrimony. 3. The Prince of Orange is not more proper to govern, as he is man and husband only, but as he is a man, a husband, and a prince of known honour, profound wisdom, undaunted courage, and incomparable merit; as he is a person that is naturally inclined to be just, merciful, and peaceable, and to do all publick acts of generosity for the advancement of the interest and happiness of human societies, and therefore most fit, under heaven, to have the sole executive power.

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THE  
DOCTRINE OF PASSIVE OBEDIENCE,  
AND JURE DIVINO, DISPROVED,

AND  
OBEDIENCE TO THE PRESENT GOVERNMENT PROVED,  
FROM SCRIPTURE, LAW, AND REASON.

Written for the satisfaction of all who are dissatisfied at the present Government,

BY A LAYMAN OF THE CHURCH OF ENGLAND.

London, printed for Randal Taylor, near Stationers-Hall, 1689.  
Folio, containing two pages.

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**G**OD by no word binds any people to this, or that form of government, till they by their own act bind themselves.

None ought to advance the greatness of his sovereign, with the publick detriment.

The end of magistracy is the good of the whole body, head and members conjunctly; but, if we speak *divisim*, then the good of the society is the ultimate end; and, next to that, as conducent to that, the governor's greatness and prerogative.

The measure of our government is acknowledged to be by law; and therefore the king cannot confer authority to any beyond law; so that those agents, deriving no authority from him, are mere instruments of his will, unauthorised persons, in their assaults, robbers.

King Charles the First's declaration at Newmarket, 1641, says, that the law is the measure of his power.

There is no absolute authority, where there is no absolute subjection due; and there can be no absolute subjection due where there is no absolute authority. No man wants authority to defend his life against him, who has no authority to take it away; but no man whatsoever has any just authority, that is, any authority at all, to take it away contrary to law.

He, that resists the usurpations of men, does not resist the ordinance of God, which alone is forbidden to be resisted; but acts of arbitrary and illegal violence are the usurpations of men, therefore may be resisted.

We are bound not to part with our lives, but to defend them; unless, when the laws of God, or our country, require us to lay them down.

Voluntary slavery is a sin against the law of nature, which no man, in his right mind, can be guilty of.

Self-defence never did any mischief in this world, and it is impossible, that one man's righting himself can do another man wrong; the mischief, that happens in that case, is wholly to be charged upon those, that invade men's lives and liberties, and thereby put them upon a necessity of defending them.

Every man has the right of self-preservation as intire under civil government, as he had in a state of nature. Under what government soever I live, I may still kill another man, when I have no other way to preserve my life from unjust violence, by private hands. Now the hands of subordinate magistrates, employed in acts of illegal violence, are private hands, and armed with no manner of authority at all; of which this is a most convincing proof, that they may be hanged by law, for such acts, which no man can or ought to suffer, for what he does by authority; for illegal violence is no part of their office.

What can be more contrary to reason, and the government of the world, yea, to the goodness and wisdom of Almighty God, than that some thousands, or millions of people, should be so subjected to the power of one man, of the same infirmities with themselves; and, in case he should command all their throats to be cut, they are obliged under the pain of no less than damnation, by a thing called passive obedience, to submit their necks tamely to the blow!

Kings were made to govern and protect the people, not to destroy them; but I never heard that the people were made for kings.

Ah, but some do object, the corporation oath binds us to be passive, the design whereof I shall here inquire into, viz. This oath was made quickly after the restoration of King Charles the Second, from an unnatural rebellion; and a Popish king was not then thought of, King Charles the Second being as likely or likelier to live, than the late King James. And can it be thought this oath was made with any other design, than to prevent the like rebellion, for the future; that, as soon as we were delivered from one unreasonable tyranny and oppression, we should run ourselves wilfully into another? Which is in effect, if this oath is to be taken in the strictest sense, or, at least, standing to the mercy of the prince, whether he will be so or no; can any man be so ridiculous as to think, the legislators

designed, by this oath, to bind themselves and the community to be so passive, that, if the king endeavoured to cut our throats, or overthrow the laws, rights, and privileges of the subject, and endeavoured to bring in popery and slavery, we should stand still, and let him? Let all the world judge, whether it can with any reason be thought.

If an absolute monarch should degenerate into so monstrous unnatural a tyranny, as apparently to seek the destruction of the whole community, then such community may negatively resist such subversion, and, if constrained to it, positively resist such endeavours, and defend themselves by force against any instruments whatsoever, for the effecting thereof.

First, David did so, when pursued by Saul, he made negative resistance by flight; and doubtless, if negative would not have served the turn, he intended,

Secondly, To make positive resistance, else why did he strengthen himself by forces, but by that force of arms to defend himself? If then he might do it for his particular safety, much rather may it be done for the publick, especially in a limited monarchy.

Resistance ought not to be made against all illegal proceedings, but such which are subversive and unsufferable, as when there is an invasion actually made, or eminently feared, by a foreign power, or when, by an intestine faction, the laws and frame of government are secretly undermined or openly assaulted; in both these cases, the being of the government being endangered, the people's safety and trust bind them, as well to assist the king in securing, as to secure it by themselves, the king refusing.

A monarch acting according to his power, not exceeding the authority which God and the laws have conferred on him, is no way to be opposed either by all or any of his subjects, but in conscience to God's ordinance obeyed. This is granted on all sides.

The prince is bound to the laws, on the authority whereof his authority depends, and to the laws he ought to submit.

The end of a king is the general good of his people, which he not performing, he is but the counterfeit of a king.

The obligation of an oath is dissolved by the cessation of the matter of it, or by any remarkable change about the principal cause of the oath; the obligation of a nation's allegiance to their prince can be nothing else, but his being in actual capacity to command and protect them. Whensoever, therefore, this actual capacity is changed then the obligation to obedience must be changed also.

The reciprocal obligation, there is between the king and the people, binds the one to protection and just government, and the other to tribute and obedience; and those duties of protection and obedience appear to be correlative: so the law has appointed reciprocal oaths to be taken for the better enforcing the performance of these respective duties, that is, the coronation oath on the king's part, and the oath of allegiance on the subjects, which is an agreement or covenant between king and people. All agreements are co,

venants, but much more that, which hath the obligation of an oath to bind it.

I ask, whether it is not as reasonable, a king conspiring the ruin and destruction of his people, by breaking his oath or contract, and destroying the very foundation of government, and in lieu thereof bringing in popery and slavery, as the late King James did, he should forfeit and lose the right of governing, as that the people conspiring against him should suffer death?

I ask, whether the authority which is inherent in our kings be boundless and absolute, or limited and determined? So that the acts which they do, or command to be done, without that compass and bounds, be not only sinful in themselves, but invalid, and not authoritative to others.

The word loyal comes from the French word *la loi*, which is to be legal, or true to the laws of the land; and, on the contrary, he that obeys the commands of his prince, contrary to the laws of the land, is so far from being loyal, that he is an illegal person, and a betrayer of the known laws of his country.

Passive obedience is popery established by law, whenever the prince shall please, and by consequence slavery; whereas the subjects of England never were slaves in any particular, nor ever would be in the darkest times of popery.

I ask, where was the doctrine of passive obedience, when Queen Elisabeth assisted the Hollanders against their lawful sovereign the King of Spain, and when she assisted the Protestants of France at a vast charge, in the reigns of Charles the Ninth, and Henry the Third, and in King Charles the First's reign, the expedition of Rochel was carried on by king and parliament, and cordially agreed to by the fathers of our church, and yet the Protestants of France could never pretend to any such privileges as England can justly claim?

The late King James's life has been but one continued and formed conspiracy against our religion, laws, rights, and privileges; and what can be expected from such a prince, who is a Romanist, and has violated his oath before God and man, and endeavours to re-establish himself with the sword, by the assistance of one of the greatest tyrants that ever the world produced?

It cannot be proved that monarchy was originally instituted by God Almighty, or that we are commanded to obey kings, exclusively to all other government.

I ask, where was there such a thing as a king for the first sixteen hundred years and upwards, which is to the deluge, or for several hundred years after it? The first king, at least the first mentioned in holy writ, is Nimrod, of the posterity of Cham, who began his kingdom in the second century after the flood; whose kingdom was founded by force and violence; so that the very foundation of monarchy seems to be laid from this person, which makes but little for *jure divino*. If kings are by divine appointment, is it not rational to believe that God would have commanded all the world to have been governed

by kings, or at least the christian world, and have given them a particular law to govern by?

If monarchy be *jure divino*, then all other government is sinful.

Allegiance is due to him from whom we receive protection. This is allowed on by all the world; else why do men, after having sworn allegiance to their native prince, and going into another country, swear allegiance to the prince thereof?

Allegiance is due to a king in possession, who is called a king *de facto*, and treason may be committed against him, as well as against a king by regular descent; and yet, by the law, treason cannot be committed against the rightful heir, who is called a king *de jure*, who is out of possession of the crown, and all judicial and political acts, done by a king *de facto*, are as valid and obligatory, as if they had been done by a rightful king, in actual possession of the throne. Whereas, on the contrary, all such acts done by a king *de jure*, who is not in possession of the crown, are totally void. In like manner, the law prefers the peace and order of the polity, before the particular rights of the king himself; and the great end of the regal authority, and of the law itself, is the quiet and prosperity of the commonwealth.

It is an acknowledged aphorism, that the safety of the people is the supreme law, and therefore to be preferred before titles to succession.

The succession of the crown of England is not by divine right, but by political institution; and all the prerogatives and authorities of the crown belong to the successor *de facto*, and not to the heir *de jure*, or *ex ordine*, being out of possession; and that allegiance is due in such case to the former, and not to the latter.

All the proofs that are brought out of the gospel, for obedience to princes, do confirm this maxim of our law; for neither our Saviour or his apostles bid christians enquire into the right and title of the Roman emperors, but obey them, under what government, it was their lot to fall, for few of them could pretend a legal title to the crown.

I challenge all the passive obedience and *jure divino* men in England, nay in the whole world, to answer these assertions and propositions, and prove the doctrine of passive obedience and *jure divino*, by scripture, law, or reason. When these are proved, I dare be bold to affirm the nation will send for the late King James, and submit to his yoke, and lay down their necks upon the block, and stand to the mercy of the French and Irish dragoons, to cut their throats.

I conjure all the dissatisfied persons, in their majesty's dominions, to be satisfied with these assertions and propositions, or to answer them, and shew sound reason for their dissent from the present government; for a wilful schism in the state is a sin, and he that endeavours to sow dissensions amongst the people, and to draw their majesties subjects, from their true allegiance, is guilty of a double sin.

And, because it may be objected, in answering these propositions, they must be forced to write against the government, I do promise, if they send a short, but direct answer, to Mr. Randal Taylor's, to print it, with a reply annexed to it.

Licensed *May 7, 1689.* J. FRASER.

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THE  
QUAKERS REMONSTRANCE TO THE PARLIAMENT, &c.  
TOUCHING THE POPIISH PLOT,  
AND  
SIR EDMUNDBURY GODFREY'S MURDER.

*Much of which being not unseasonable at this juncture, it is now reprinted:*

As also to shew, that the Quakers were formerly as zealous against Popery, as any others; notwithstanding they have so much appeared to the contrary of late. Licensed, the fifteenth of June, 1689. London, printed 1689, and sold at several Booksellers, Quarto, containing eight pages.

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**I**T is not a time now to dispute, but to act, and that vigorously too, or England's lost Popery, that enemy to God, by setting up idols; to Christ, by its new-found mediators: to the Holy Ghost, by putting a Pope in his place; to the Scriptures, by its legends and corrupt traditions; to reason, by its imposed absurdities; to common sense, by its most foolish, but most idolised transubstantiation; to all tender dissenting consciences, by fire and faggot; and to all civil governments, that refuse to be subject to it, by plots, assassinations, and horrid massacres, its usual and notorious steps to worldly advancement. This monstrous Popery, this common enemy to mankind, that hath so often contrived our ruin, and several times been at the very point of effecting it, has once more attempted us, and with that violence and design, that it looks like the last time: Nay, the great sticklers of it are got within our works, and promise themselves the garison; because, they say, they have friends in disguise among us. It is true, they have lost some men in the attempt, but they are not much daunted at that; for the whole papal world, they brag, have conspired their success, and the air rings with the thousands of masses, that are daily said for the prosperity of the design, as if their intention were to convert the world, and not to kill the king, garble the parliament, shamle all good and sober Protestants of every party, fire and plunder cities, and, finally,

change the government and religion of the kingdom, which is the plot.

Nor will the more impudent of them deny the thing in general, but much the contrary, insulting to us with *Tertullian's Implevimus omnia* against the old Pagans. We fill your courts, your armies, your navies; it must take, you cannot avoid it; it is a just cause to extirpate hereticks, root and branch.

But one (and may be the worst) part of the plot has failed them; they resolved to surprise you, to make a night's work of it, to let you and your's never see day more (for such deeds become darkness) as they did in France and Ireland, in those most bloody massacres of poor harmless Protestants. But God, the infinitely good and gracious God, that hath always watched over this poor island, an hundred times designed to destruction, and whose eye pierceth through the secrets of men, hath, notwithstanding the greatness, as well as multitude of our sins (not to be equalled by any thing but his patience and compassion) discovered this impious conspiracy, we hope, too early for the plotter's purpose; he has beaten up our quarters, and given us the alarm, if we will take it. Methinks we should, when the noise of fire and sword is in our ears; when we cannot walk the streets without danger of being stabbed, nor sleep in our houses for fear of being burned; witness the dreadful fire of London, the fire of Southwark, and that, the other day, of Limehouse, where three poor souls were burned quick, to say nothing of forty attempts they have made in other places. To which let me add the design, in general, of massacring all the best people in the kingdom, begun, and amply confirmed, in the most barbarous murder of that worthy knight, and judicious magistrate, Sir Edmundbury Godfrey; and here I must stay a while. Murder is a great sin against God and our neighbour; but, alas! what induced them to it here? Sir Edmundbury Godfrey was one of the mildest men to these bloody Papists, that was in commission for the peace; for, though he hated arbitrary power, and Popery, as the cause or effect of it, yet a man for a due liberty to all sober people, pretending tenderness of conscience, and saved them from many a pinch on that score; hoping, as many more did, that, after an hundred years experience, intermarriages, conversation, and large indulgence, they were grown wiser, if not more christian, than to cut their way to government through blood, and kill for religion (pardon me the use of the word about popery, that has nothing of religion, but the name); but gratitude restrains not men of this stamp, their principle knows no kindred, no obedience, no obligation, that stands in the way of their conspired dominion. Well, but was it that they would be revenged of him, for having courage, courage I say, as the world goes, to take depositions, upon oath, of their devilish plot? But where is the crime here, which can properly give their act the term of revenge, since examination is neither judgment nor execution? Even a saint is not injured to be examined, much less a papist: Innocency gets on trial, if falsely accused; but that is not the case, for truth seeks no corners, nor yet ditches to lay a murdered man in, after having strangled him



in the house for the purpose. What then can be the plain English of the business but this, that they concluded, his former kindness, thus abused, would for ever disengage him for the future ; and that, since he could not be prevailed upon to stifle the evidence he had, and might yet have produced (for he acknowledged to some, he had been both tampered with and menaced) they would strangle him ; which is such a demonstration, that their folly, as well as malice, hath given of the whole to be true, that none can now deny it to be a plot, but those that are of it, or will lose by the discovery.

But some say, he killed himself. That is a likely business indeed ; for what I pray ? a sober, charitable, judicious man. O, but he was melancholy ; that is, he was a serious man. But why now more melancholy than ever ? Because he had wronged the innocent Papists. Is that it ? Where is the wrong ? Is it, that he heard what persons, upon oath, declared of the most horrid conspiracy that ever was on foot in the world, but the murdering of the Son of God ? But, be this deposition true or false, it was his duty and place to take it, he was sworn to do it, it was a great, and the best part of his office ; he had deserved a plotter's punishment to have refused the thing. Here is no virulency, suborning of evidence, condemning, or murdering them, in all this. Where is the sin then, that should trouble his conscience ? But they, that will murder, will lie to cover it.

Besides, it is plain that he was strangled, and his neck broke before stabbed, because he could neither strangle himself, nor break his neck, after he was stabbed through his heart, nor stab himself after he was strangled, and his neck broke. Moreover, had he been stabbed before dead, or soon after, blood would have appeared on the hilt of his sword on which he lay, or on the ground, it being a dry place, or on his cloaths ; but no blood was to be seen, and when the sword was drawn out of his body, which his murderers put in to palliate the butchery, nothing issued from him but a dark water, as is usual, where blood is congealed, as his doubtless was, before he was stabbed ; for, we are of opinion, there was a good time betwixt strangling and stabbing him, and that the latter was upon great deliberation, and that on purpose to hide the actors, and cast the murder upon himself. O Lord God ! that ever men should be so much the children of the devil, as first to murder, then charge it upon the innocent soul murdered. But the devil was ever a fool, and so in this ; for, besides what we have observed, this further is to be said, they that killed him would have us think it was himself, because neither cloaths, nor money, nor rings, were taken away. True, but though they that are concerned in the plot wanted neither his cloaths, nor money, nor rings, to carry it on, yet they took what they wanted, and they wanted what they took with a witness, and that was his pocket-book of depositions and examinations ; which puts it out of doubt, that they, that were so much concerned in them, both murdered him and took it ; for none can think that Father Conyers, the Duke of Norfolk's confessor, taking the air over hedge and ditch to Primrose Hill, dropt just upon him, and pickt his pockets of the book. Well, but why may he not have hang-

ed himself, and his kindred, to save his estate, stabbed him afterwards, and carried him thither? This is deadly cunning; but why was his pocket-book only wanting, wherein the plotters were concerned? Tricks will not do here. Furthermore, why did they not keep his gold, silver, and rings, that were found in his pocket, but expose them? Why not strip him in some degree, make wound in his sword-arm, and hack, bend, or break his sword, that it might look like robbery? But, last of all, why should they carry him out exactly as he used to go, quite dressed, and want a band, especially since they were so punctual as to take his sword, belt, gloves, and stick, with them? He went out, in the morning, with a great laced band, none was found, as well as the book of examinations. Of that we have already spoke; for the band, it is a plain case they strangled him, and being a long-necked man, and wearing an high strong collar, he struggling to save himself, and they striving to dispatch him that way, the band was torn in the fray, and, to have let it go so, had been to have told the story too plainly; that is, that the man was strangled to death by violence, and that the stab of his own sword was an after-trick to cover the business.

Thus this poor gentleman, but worthy and brave patriot, ended his days, by the assassinating hands of Papists, whose butchery made him the common martyr of his religion and country, and his death is to us the earnest of their cruelty; in him they have massacred us all, we must take it to ourselves, and can no more be unconcerned in his death, than disinterested in the cause of it.

The plot is opened, the tragedy is begun, our wives are affrighted, our children cry, no man is sure of his life a day; the choice is only, what death we shall die, whether be stabbed, strangled, or burned. This consternation and insecurity must needs obstruct all commerce, scare people from following their lawful occasions, deter all officers of justice from their duty, and, in fine, dissolve human society, and reduce the world into its first chaos.

For the Lord's sake, let us consider our condition, let us all turn to the Lord with unfeigned repentance, let us look and cry to him for help, that he, who has discovered, would confound this bloody conspiracy, and shew mercy, and bring us deliverance, that we may yet see his salvation, and serve him all the days of our lives; and, in order to our security, these things are earnestly requested of you:

1. Take effectual care to preserve the king; they say, and we believe, he is not for their turn. We would not have him, for his sake and ours. In order to this, pray find out the Ahithophels, the dangerous men about him; you know who they are, be free and bold, prize your time, the conjuncture is great.

2. Vote an address to the king, to banish all Irish Papists out of the army, navy, and kingdom, by such a day, and all Papists out of the City of London, whose gross ignorance, and base desperateness, renders them the fittest men for assassinations. Besides, it is a shame, that the children and kindred of Irish rebels, if not some of them the very men themselves that were actors in that horrid mas-

sacre, in the year 1641, about thirty-seven years since, in which above three-hundred thousand Protestants were murdered in the kingdom of Ireland, without regard to age or sex, should be employed either in the English army or navy; but more scandalous is it, that St. James's should be their head quarters, and the park turned into an Irish walk. What do so many Irish Papists, Teigs, and rebels, do swarming there? No good to be sure; their parts, courage, and skill, can invite no man of any worth to entertain them; it must only be their ignorance, and cowardly cruelty, which makes them instruments of mischief, and fit to be used by those that love foul play. But, that poor dissenting Protestants should be daily molested and pillaged, for the sake of their peaceable consciences, whilst Teagues, and Irish rebels, go by whole droves under the nose of king and duke, in their royal park, and walks of pleasure, is almost insupportable. Is this to maintain the Protestant religion, and discountenance Popery? *Ex pede Herculem.*

3. For God's sake, call for the plot; look thoroughly and strictly into it; fear, nor favour no man, *fiat justitia*, but fear God; do what you do, as in his presence, to whom you must render an account; it is the great action of your life, discharge your trust, and quit yourselves now like men. This has been the perpetual troubler of our Protestant Israel; as you would see God with comfort, and secure your posterity from civil and spiritual tyranny, slip not this opportunity God has so wonderfully cast into your hands; be not found despisers of his providence, neither be you careless, or fearful of improving it; now or never: Had they you on this lock, and at this advantage, you nor yours should never see day more. What once you could not have so well done, they have now made easy and necessary for you to do; and, what before you scarcely might do, is now become your duty. Be not cheated by a sacrifice; let not the lives of two or three plotters be the ransom of the rest, or your satisfaction; it is not blood, but security, prospect, future safety, an eternal prevention of the like miseries for the future; otherwise, we shall only sit down with the peace and joy of fools, and fat ourselves sacrifices with more security against their next slaughter. Therefore,

4. Raise the trained-bands, and let them be put not so much as into the hands of men popishly affected; for those men that would pull off the vizard, in case Popery prevailed; that otherwise keep their credit by not discovering themselves, are the most dangerous to be trusted; I fear Popery thus entering, more than any other way. Examine the counties well, for some of base principles are intrusted.

5. Let there be power given to raise auxiliaries, that such honest Protestant gentlemen, as are willing, at their own charges, voluntarily to serve their country, by raising troops or companies, or serving in them, may be permitted and encouraged so to do.

6. Let every Protestant family be well armed, and every Popish family be utterly disarmed; they have tried our usage of arms with ease, we theirs with cruelty enough.

7. Let there be an act, with a strict penalty, that, after such a

day, no gun-smith shall sell guns or pistols; cutlers, swords or daggers; and dry-salters, gunpowder or bullets, without license of the aldermen of the wards in London, or some chief officer, if in any other corporation; and that the person so buying them shall, before the said officer, subscribe a sufficient test against Popery, but, more especially, that no Papist be suffered to make or sell any such implements of war.

8. That care be taken to prevent fraudulent conveyances of estates by Papists, to escape the law, where they have done mischief; for this is to cheat the government, and invalidate the law.

9. That it shall be treason for any Papist to entertain a priest, jesuit, or seminary in their house, because mortal enemies, by principle and practice, to the civil government. Consider of the Swedish law, or some other way to clear the land of all of them; let us buy them out to be safe.

10. That in all schools, particularly in universities, care be taken to educate youth in a just abhorrence of Romish principles, especially the jesuit's immoral morals, shewing the inconsistency thereof with human nature, reason, and society, as well as pure and meek christianity, of which there has been great neglect.

11. That our youth be not suffered to travel abroad, but between twelve and sixteen, and that under the conduct of approved Protestants; for the present way of education is chiefly in pleasure and looseness, which makes way for atheism or Popery, no religion or false religion.

12. That speedy care be taken to release all oppressed Protestants in this kingdom; and, since the Papists mark all Protestants out for one fate, and esteem them one body of hereticks, that they may be as one body of protestancy against that common enemy. This is the language of God's present providence; those, that withstand it, are such as love Rome better than London; every Protestant, dissenter or not, has the same thing to say against popery. Agree then so far, and let a general negative creed be concluded upon, and from thence let some general positive truths be considered of, in order to a better understanding among them. For this purpose, let there be a select assembly of some out of all persuasions, in which these two proposals may be duly weighed, that whosoever believe, and own what shall be therein contained, shall be reputed and protected as true Protestants.

*Lastly*, and more especially, let all the laws in force against immorality be speedily and effectually executed. It is sin, which is the disease and shame of the nation; we have forgotten God, and cast his law behind us, and we deserve not this beginning of deliverance. Our pleasures have been our gods, and to them we bow, and have little or no religion at heart; therefore it is that iniquity abounds, and in that variety too, and to such a degree, as no kingdom can parallel. Blush, O heavens, and be astonished, O earth! A people loved of God, and so often saved by his wonderful providences, are become the Tyre and Sidon, the Sodom and Gomorrah of the world. Let us repent in dust and ashes; let us turn to God, from the bot-

tom of our hearts, with the fervent love and good works of our martyred ancestors; or their life, doctrine, and death will rise up in judgment against us, and God will yet suffer their and our enemies to swallow us up quick. And be assured, as looseness and debauchery were designed by the Papists, as a state-trick, to dispose the minds of the people to receive, or at least suffer Popery, that, to say true, cannot live with better company; so the discouragement of it, and cherishing of all virtuous persons, with a serious and hearty prosecution of the fore-mentioned proposals, will stop, and in time wear it out of the kingdom; for Popery fears nothing more than light, inquiry, and sober living. Hear us, we beseech you, for Jesus Christ's sake; take heart, we will never leave you, do not you leave us; provide for the king, provide for the people; for God alone knows, when we lie down, if we shall ever rise, or, when we go forth, if we shall ever return. Remember the massacre of Paris, in which so many thousands fell, and, with them, that brave admiral, Coligni: Infamy enough, one would think, to shame the party, did they know such a thing; but, instead of that, it was meritorious, yea, it is a subject of triumph: Look into the Vatican at Rome, and, among the other rare feats performed by christian kings against infidels, this massacre of Paris, now about an hundred years old, is to be found; and so careful was the designer to do it to the life, that he has not omitted to shew us, how the noble admiral was flung dead out of the window into the street, to be used as people use cats and dogs in Protestant countries, but good enough for an heretick, whom the worse they use, the better they are. But, to shew they own the plot, and glory in the action, for fear one not read in the story should take Coligni for Jezabel, they have gallantly explained the action upon the piece, and writ his name at large.

But there is a cruelty nearer home, no less barbarous, the Irish massacre, in 1641; nay, it exceeded, *First*, in number; there were above three-hundred thousand murdered. *Next*, in that no age or sex was spared; and, *lastly*, in the manner of it. It was general throughout the kingdom; and, as they were more savage, so more cruel; they spared not either sick, or lying-in women; they killed poor infants, and innocent children, tossing some upon their swords, skeens, and other instruments of cruelty; flinging others into rivers, and, taking several by the legs, dashed their brains out against walls or rocks. O Lord God, avenge this innocent blood; it still cries. But, that these actors of this tragedy, or their bloody-minded offspring, should swarm in England, be pensioners here, as if they were the old soldiers of the queen, men of eighty-eight, cripples of loyalty, laid up for their good services, and St. James's their hospital, this scandalises us. We think them the worst cattle of their country, and pray, that there may be an exchange, that you would prohibit their importation, instead of more useful beasts. For the bloody massacre of Piedmont, you have it at large described by Sir Samuel Morland.

But we must never forget the horrid murder of Henry the Third and of Henry the Fourth of France, our king's renowned grandfather

And would to God our king would consider, that all his humanity to them can never secure him from their stroke; they were both better Catholicks, and yet both assassinated: The first a bred Papist, yet because he would not murder all the Hugonots or Protestants of his kingdom, and his known best subjects, they did as much for him: The last was their convert, all they seemed to desire of him, and all they can expect from our king, yet how did they use him? They did twice assassinate him, and the last time killed him. What security then can any prince promise to himself from men, that make not the profession of the same religion a protection to them that own it, but upon humours or suspicions of their own, or to introduce another person or family, more immediately under their influence, and disposed to their turn, will make no scruple of killing him? What slaves are kings with such men, and under such a religion? Let not the mildness of our prince be thus abused; shew yourselves his great and best council in this conjuncture, and deliver him from these men of ingratitude: Men that will never be contented, but with that which they must not have; of such qualifications, that what may be esteemed ambition, revenge, or, interest, in all other parties, is a settled principle with them. This their greatest doctors tell us, and to excite men in the pursuit of it, they declare all such acts more than ordinarily meritorious. But what hold can we have of such men, that have no conscience? This conclusion looks hard, and besides their practice, for if that were always to cast the scale, it would go hard with many Protestants too; it is their avowed doctrine, they glory in it, and make it our reproach to have any such thing. I say, that Papists have no conscience, or no use of conscience in their religion, which is the same thing; for what is conscience, but the judgment a man makes in himself of religious matters, according to the knowledge given him of God; but this is out of doors with them, it is heresy; authority rules them, not truth; as if a man were to be credited for his age, not for his reason. Conscience is a domestick and private judge, dangerous to the chair, the Pope; for it rather hinders than helps subjection; the less there be of it, the sooner men turn captives to their mysteries: So that putting out the eyes of our mind, and a blind before our understanding, best fit us for Popish religion; as if religion had not so great an enemy as reason; nor faith as knowledge. It is strange, that a man cannot be a Papist, without renouncing the only distinction of a man from a beast: Therefore it is, we pray to be secured from Papists, because at best they unman us, and are not their own men. It is true, as Protestants do not always live up to their good principles, neither do Papists to their bad ones: Breeding, good humour, generosity, and a better principle they know not of, may byass some of them to worthy things, but this is not according to their principles; for if they will be true to them, they must abandon choice, and obey their superior, right or wrong, and every immorality he commands is duty, upon damnation; the more contrary to their reason, and averse to their nature, the greater the merit. Hesitation

its weakness; dissent, schism; opposition, heresy; the consequence, burning.

From this religion, O Lord God, deliver us; O king and parliament, protect us: It is your duty to God, and your obligation to the people. We beseech you, excuse us, and take all in good part; our fears are great, we fear justly, and our desires reasonable; remember our dreadful fires, consider this horrid plot, and think upon poor, yet worthy, Sir Edmundbury Godfry; let not God's providence, and his blood, rise up in judgment against you; God of his great mercy animate you by his power, and direct you by his wisdom, that the succession of his deliverances, from Queen Elisabeth's days, may not be forgotten, nor his present mercy slighted; let us do our duty, and God will give us that blessing, which will yet make England a glorious kingdom, the joy of her friends, and terror of her enemies, which is the fervent and constant prayers of yours, &c.

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THE

## CHANCELLOR'S EXAMINATION,

AND

## PREPARATION FOR A TRIAL.

Printed for W. Cademan, 1689. Folio, containing two pages.

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As the long imprisonment of George, Lord Jefferies, the High Chancellor of England, has given him ample leisure for a full and serious consideration of his state, his examination of his fatal circumstances, and preparation for his trial, with all other necessary and due reflexions, previous as well to the appearance not only before so great a tribunal here, but also a greater and more terrible one to come, have induced him to this timely provision of his last Will and Testament.

**I**N the name of ambition, the only God of our setting up and worshiping, together with cruelty, treachery, perjury, pride, insolence, &c. his ever-adored angels and archangels, cloven-footed, or otherwise. Amen.

I George, sometimes Lord, but always Jefferies, being in intire bodily health (my once great heart, at present dwindled to the diminutive dimensions of a French bean, only excepted) and in sound and perfect memory of high commissions, *quo warranto's*, regulations, dispensations, pillorisations, floggations, gibbetations, barbarity, butchery, tyranny, together with the bonds and ties of right, justice, equity, law, and gospel; as also those of liberty, property, *Magna*

*Charta*, &c. not only at divers and sundry, but at all times, by me, religiously broken: and, being reminded by a halter before me, and my sins behind me, do make my last will and testament in manner and form following:

*Imprimis*, Because it has always been the modish departure of great men, and greater sinners, to leave some legacy to pious uses, I give and bequeath one-thousand pounds towards the building of a shrine and a chapel to St. Coleman, for the particular devotion of a late very great English zealot, for whose glory I farther order my executors to bear half charges in inserting and registering the sacred papers and memoirs of the said saint, in those divine legends, 'The Lives of the Saints,' by the hand of his reverend, and no less industrious, successor Father Peters; that so the never-dying renown of the long-swore meritorious, though unfortunate, vengeance against the northern heresy, (in which once hopeful vineyard I have been no small labourer) may be transmitted to posterity by so pious a recorder.

*Item*, As a legacy to her late consort-majesty of Great-Britain, my sometimes royal patroness, I do bequeath two-thousand crowns to holy mother church, to purchase, through his holiness, and the good lady of Loretto's intercession, the same benediction to the French waters of Spa, they once vouchsafed to the English ones of Bath, to give her majesty the conception of a Duke of York to her Prince of Wales; humbly, with my dying breath, requesting, for the future silencing of malice, and confutation of infidelity, that her said majesty would, in due prudence, graciously please to select out, for her next labour, but half as able witnesses, and reeking spectators of her delivery, as myself, there being, in her late case, no person in the world a more experimentally substantial evidence of a male child born of the body of a queen, at full growth at eight months, when it is so notoriously known, that my own first female child, of my wife's, was at the like full growth born at five months.

*Item*, In tenderness and hearty good-will to my sometime friends and allies on the other side the herring-pond, I think fit, as a small mite to the great cause, to order my executors, out of my late son-in-law's estate, saved by my own Chancery decree from the Salisbury creditors, as much money to be remitted over to the true and trusty Tyrconnel, as will purchase new liveries of the best Irish frize, completely to rig a whole regiment of his new-raised Teagues; as also the like quantity for the rigging of another regiment of French dragoons, now sending over to his excellency's succour; his Gallick majesty having long since ordered the edict of Nants, and all other the parliamentary heretick-records of France to be given them *gratis*, to make them taylors measures of, in imitation of the English *Magna Charta*, sometime since designed for the same use.

But, above all, to take care for my own decent funeral, lest my executors, to save the charges of Christian burial, should drop me under ground, as slovenly as my old great master, at Westminster, I think fit to order the rites and ceremonies of my obsequies as follows:



*Imprimis*, I desire that my funeral anthems be all set to the tune of old Lilliburlero, that never to be forgotten Irish Shibolet, in commemoration not only of two-hundred-thousand hereticks, that formerly danced off to the said musical notes, but also of the second part to the same tune, lately designing, setting, and composing by a great master of mine, and myself. The said anthem to be sung by a train of seven or eight-hundred of my own making in the west; who, in their native rags, a livery likewise of my own donation, as a dress fittest for the sad cavalcade, will, I am assured, be no way wanting in their readiest and ablest melody, suitable to the occasion.

*Item*, I order two hundred Jacobus's to be laid out in myrrh, frankincense, and other necessary perfumes, to be burnt at my funeral, to sweeten, if possible, some little stink I may, probably, leave behind me.

*Item*, I order an ell and a half of fine cambrick to be cut out into handkerchiefs, for drying up all the wet eyes at my funeral, together with half a pint of burnt claret, for all the mourners in the kingdom.

*Item*, For the more decent interment of my remains, I will and require, for the re-cementing of my own unhappy politick head to my shoulders again (provided always I have the honour of the axe, as it is much questioned) that a present of a diamond ring be made to Madam Labadie, for the use of the same needle, and a skain of the same thread, once used on a very important occasion, for the quilting of a certain notable cushion of famous memory.

To conclude: For avoiding all Chancery suits about the disposal of my aforesaid legacies, that the contents of this my last will may be made publick, I order my executors to take care that this may be printed.

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*For PRESENT CASE OF ENGLAND, see Vol. i. p. 41.*

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## THE DANGER OF MERCENARY PARLIAMENTS \*.

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1. **S**EVERAL treatises have been formerly written, and more (I doubt not) will be in this juncture published, with directions and informations to the people of England for chusing fit and proper representatives for the ensuing parliament, wherein sufficient notice will be taken of the failures and defects of several who have already been

\* Printed, anno 1690. Quarto, containing eight pages.

entrusted in that service, and the due qualifications of such, who are now to be elected. I shall, therefore, confine my present thoughts only to one particular head, which yet, in my opinion, seems to involve in it the inevitable fate of England, which wholly depends upon the choice of members for the next session of parliament: I mean 'the choosing or refusing of such persons, who are now possessed of any places and preferments, depending upon the gift and pleasure of the court.' If herein my endeavours prove unsuccessful, I shall have nothing left, but the satisfaction of my own conscience to support me under the deplorable consequents and effects, which must necessarily attend the choice of a house of commons filled with Officers and court pensioners. This is the last struggle and effort the people of England have left them for their properties; and, should we now miscarry in this, we may sit down and idly shew our affections for our country, and fruitlessly bewail the loss of our liberties, but shall never meet with another opportunity of exerting ourselves in its service. That I may, therefore, set the minds of people right, in this particular, before it be too late, I think it will be only necessary to shew the danger of chusing members that are in places, from two considerations:

First, From the nature of such a parliament, considered in itself: And,

Secondly, From what has already been done by parliaments so qualified.

In both which, I shall be very brief, and content myself with much fewer arguments than might be urged upon this subject. For I should almost despair of being survived by the liberties of England, if I could imagine there was a necessity of saying much, in a case not only of such irresistible evidence and demonstration, but also of the utmost concern and importance to us.

2. First, then, we shall best be able to understand the nature of such an ill-chosen parliament, by comparing it with a true one, and with the original design of parliaments in their institution. I hope it need not be told, that they were, at first, intended for a support to the king's just prerogative; and a protection to the subjects in their as just rights and privileges: For maintaining all due honour to the executive power, and all suitable respect and encouragement to those, who are intrusted with the administration of the laws: For a poise and balance between the two extreme contending powers of absolute monarchy and anarchy: For a check and curb to insolent and licentious ministers, and a terror to ambitious and over-grown statesmen: For giving their advice to his majesty in all matters of importance: For making necessary laws, to preserve or improve our constitution, and abrogating such as were found burthensome and obsolete: For giving the king money for defraying the charges and expences of the government, or maintaining a necessary war against foreign and domestick enemies: For examining and inspecting the publick accounts, to know if their money be applied to its true use and purposes: In short, for the best security imaginable to his majesty's honour and royal dignities, and the subjects liberties, estates, and lives.

3. This being the nature and true design of a parliament, let us now see whether a house of commons, full of officers and court pensioners, will answer those noble and laudable ends of their constitutions. And, here indeed, I begin already to be ashamed of my undertaking; the proof of the negative is so ridiculous, that it looks too much like a jest, to ask any one in his wits, whether a parliament, filled with delinquents, will ever call themselves to an account, or what account would be given, if they should? Whether an assembly of publick robbers will sentence one another to be punished, or to make restitution? Whether it is possible, our grievances can be redressed, that are committed by persons, from whom there is no higher power to appeal? Whether there is any hope of justice, where the malefactors are the judges? Whether his majesty can be rightly informed in affairs relating to himself or the publick, when they are represented to him, only by such persons, who design to abuse him? Whether the publick accounts will be faithfully inspected by those, who embezzle our money to their own use? Whether the king's prerogative can be lawfully maintained by such, who only pervert it to their own sinister ends and purposes? Whether a parliament can be a true balance, where all the weight lies only in one scale? Or, lastly, Whether a house of commons can vote freely, who are either prepossessed with the hopes and promises of enjoying places, or the slavish fears of losing them? Methinks it is offering too much violence to human nature, to ask such questions as these; I shall, therefore, leave this invidious point.

4. Yet, lest still any should remain unsatisfied, or lulled into a fond opinion, that these mischiefs will not ensue upon the elections they shall make, I shall further endeavour to convince those, who are most moved by the force of examples, by coming to my second particular, and shewing how parliaments, so qualified, have all along behaved themselves. And here I must confess there are not many instances to be given, the project of corrupting parliaments being but of a late date, a practice first set on foot within the compass of our own memories, as the last and most dangerous stratagem that ever was invented by an incroaching tyrant to possess himself of the rights of a free-born people; I mean King Charles the Second, who, well remembering, with how little success, both he and his father had made use of open arms and downright violence to storm and batter down the bulwarks of our excellent constitution, had recourse at last to those mean arts, and underhand practices, of bribing and corrupting, with money, those who were intrusted with the conservation of our laws, and the guardianship of our liberties. And herein he so well succeeded, that the mischiefs and calamities, occasioned by that mercenary parliament, did not terminate with his life and reign; but the effects of them are handed and continued down, and very sensibly felt by the nation, to this very hour. For it is to that house of commons the formidable greatness of France was owing, and to their account, therefore, ought we to set down the prodigious expences of the late war. It was by those infamous members that money was given to make a feigned and collusive war with France, which, at the

same time, was employed either in subduing the subjects at home, or oppressing our Protestant neighbours abroad. It was this venal parliament in effect that furnished the King of France with timber and skilful workmen for building ships, as well as expert mariners, and a prodigious quantity of brass and iron canon, mortar-pieces, and bullets from the tower: by the help of which, our own treacherous king was able to boast publicly, and thank God, that he had at last made his brother of France a seaman. By this means the honour of England was prostituted, and our natural and naval strength betrayed, with which, like Sampson, we should easily have broken all the cords that Europe, or the whole world, could have made to bind and enslave us, had not this parliament made a sacrifice of all to the charms of a French Dalilah. To this profligate and villainous reign, we are to ascribe the loss of all the considerable charters of England, the deaths of our best patriots, the encouragement and almost establishment of Popery\*, the decay of trade, the growth of arbitrary power, the ill effects of dishonourable leagues,

\* Which will better appear, from the following letter, published in the year 1679, on half a sheet of paper, folio.

*A copy of a Letter, written by a Jesuit to the father-rector at Brussels, discovering their designs upon England; and their judgment of the temper thereof: With a conjecture of the success of the parliament.*

*Father Rector!*

Let not the damp of astonishment seize upon your ardent and zealous soul, in apprehending the sudden and unexpected calling of a parliament. We have not opposed, but rather furthered it; so that we hope as much in this parliament, as ever we feared any in Queen Elizabeth's days.

You must know the council is engaged to assist the king, by way of prerogative, in case the parliamentary way should fail. You shall see this parliament will resemble the pelican, which takes a pleasure to dig out, with her beak, her own bowels.

The election of knights and burgesses have been in such confusion of apparent faction, as that, which we were wont to procure heretofore, with much art and industry (when the Spanish match was in treaty) now breaks out naturally, as a botch or bile, and spits and spews out its own rancour and venom.

You remember how that famous and immortal statesman, the Count of Gondamar, fed King James's fancy, and rocked him a-sleep with the soft sweet sound of peace, to keep up the Spanish treaty. Likewise, we were much bound to some statesmen of our own country, for gaining time, by procuring those most advantageous cessations of arms in the Palatinate, and advancing the honour and integrity of the Spanish nation, vilifying the Hollanders; remonstrating to King James, that that state was most ungrateful, both to his predecessor Queen Elizabeth, and his sacred majesty: That the States were more obnoxious than the Turk, and perpetually injured his majesty's loving subjects in the East Indies, and likewise, they have usurped from his majesty the regality, and invaluable profit of the narrow seas, in fishing upon the English coast, &c.

This great statesman had but one principal means to further that great and good design, which was to set on King James, that none but the puritan faction, which plotted nothing but anarchy, and his confusion, were averse to this most happy union. We steered on the same course, and have made great use of this anarchical election, and have prejudicated and anticipated the great one, that none but the king's enemies, and his, are chosen for this parliament.

We have now many strings to our bow, and have strongly fortified our faction, and have added two bulwarks more: For when King James lived (you know) he was very violent against Arminianism, and interrupted (with his pestilent wit and deep learning) our strong designs, in Holland, and was a great friend to that old rebel and heretic, the Prince of Orange.

Now we have planted that sovereign drug, Arminianism; which, we hope, will purge the Protestants from their heresy; and it flourishes, and bears fruit in due season.

The materials, which build up our bulwark, are the projectors, and beggars of all ranks and qualities: Howsoever, both these factions co-operate to destroy the parliament, and to introduce a new species and form of government, which is oligarchy.

These serve as direct mediums and instruments to our end, which is the universal catholic monarchy. Our foundations must be mutation; a mutation will cause a relaxation, which will serve as so many violent diseases, as the stone, gout, &c. to the speedy destruction of our perpetual and insufferable anguish of body, which is worse than death itself.

We proceed now by council and mature deliberation, how, and when, to work upon the duke's jealousy and revenge, and, in this we give the honour to those which merit it, which are the Church Catholics.

There is another matter of consequence, which we take much into our consideration, and tender care, which is to stave off the Puritans, that they hang not in the duke's ears; they are impatient and subtle people, and it is to be feared, lest they should negotiate a reconciliation be-

the shutting up of the exchequer, the progress of all sorts of debauchery, the servile compliances at court of a rampant hierarchy in the kingdom, the insolent deportment of the inferior clergy both in the universities and elsewhere, their slavish doctrine of passive obedience and non-resistance; in short, a general depravation of manners, and almost utter extirpation of virtue and moral honesty. These and all the other mischiefs of that reign are justly chargeable to the account of that pensioned parliament, who either were the immediate authors, or the undoubted causers of them: Who, though they sat long and often, and could not be ignorant of our deplorable condition, yet having their eyes blinded with the dust of gold, and their tongues locked up with silver keys, they durst not cry out for the rescue of their country, thus inhumanly ravished in their very presence. It will not consist with my designed brevity, nor is it here necessary to give the reasons that induced the court to dissolve that parliament; nor shall I take any further notice of their great and fortunate oversight in doing it, nor of their unfeigned repentance afterwards for it; I shall only observe, that, if the nation had been so senselessly stupid to have chosen the same members a second time, who were pensioners in the foregoing parliament, we had long ago suffered the dismal consequences of our folly and madness in such a choice; nor should we now have had this liberty to warn one another against splitting upon the like rocks, and falling into the same precipices. But they were wiser in those times, and the consideration of the dreadful shipwreck, they had so lately escaped, made them chuse pilots of a quite contrary disposition, who, as far as in them lay, and as long as they were permitted to sit at the helm, repaired the shattered vessel of the commonwealth, restored its honour, revived its drooping genius, gave force to its laws, countenance to its religion, and, in a great measure, reduced our

between the duke and the parliament; it is certain, the duke would gladly have reconciled himself to the parliament at Oxford and Westminster; but now we assure ourselves we have so handled the matter, that both duke and parliament are irreconcilable.

For the better prevention of the Puritans, the Arminians have already locked up the duke's ears, and we have those of our own religion, which stand continually at the duke's chamber to see who goes in and out. We cannot be too circumspect, and fearful, in this regard.

I cannot chuse but laugh, to see how some of our own coat have accounted themselves; you would scarce know them, if you saw them: And it is admirable, how in speech and gesture they act the Puritans. The Cambridge scholars, to their woful experience, shall see we can act the Puritans a little better than they have done the Jesuits: They have abused our sacred patron St. Ignatius in jest, but we will make them smart for it in earnest, I hope, you will excuse my merry digression; for, I confess unto you, I am at this time transported with joy to see how happily all instruments and means, as well great as less, co-operate unto our purposes.

But to return unto the main fabrick; our foundation is Arminianism. The Arminians, and projectors, as it appears in the premises, affect mutation; this we second, and infer by probable arguments. In the first place, we take into consideration the king's honour, and present necessity; and we shew how the king may free himself of his ward, as Lewis the Eleventh did. And, for his great splendor and lustre, he may raise a vast revenue, and not be beholden to his subjects; which is, by way of imposition of excise. Then our Church Catholicks proceed to shew the means how to settle this excise, which must be by a mercenary army of horse and foot. For the horse, we have made that sure; they shall be foreigners and Germans, who will eat up the king's revenues, and spoil the country wheresoever they come, though they should be well paid; what havock will they make there, when they get no pay, or are not duly paid? They will do more mischief, than we hope the army will do.

We are provident and careful that this mercenary army of two-thousand horse, and twenty thousand foot, shall be taken on, and in pay, before the excise be settled. In forming the excise, the country is most likely to rise; if the mercenary army subjugate the country, then the soldiers and projectors shall be paid out of the confiscations; if the country be too hard for the soldiers, then they must consequently mutiny, which is equally advantageous unto us. Our superlative design is, to work the Protestants, as well as the Catholicks, to welcome in a conqueror, and that is by this means: We hope instantly to dissolve trade, and hinder the building of shipping, in devising probable designs, and putting on the state upon expeditions, as that of Cadiz was, in taking away the merchants ships, so that they may not easily catch and light upon the West-India fleet,

banished liberties, and exposed the persons, who sold them, to the universal hatred and reproach of their fellow-subjects; a punishment indeed infinitely less than they deserved, for the highest crime a member of parliament is capable of committing.

5. As for King James's reign, though it was notoriously guilty of the breach and violation of most of our fundamental laws, which sufficiently justifies our carriage towards him, yet, cannot we say that his mismanagement is to be ascribed to the corruption of any parliament sitting in his time. It is true, indeed, he reaped too much advantage from the conduct of the bribed parliament in his brother's reign, and used all possible endeavours to procure such another for himself, well knowing it to be the most effectual means for carrying on his ruinous and destructive projects; yet, either from the unshaken constancy of the people, or want of dexterity in his ministers, he was altogether defeated in his expectation.

6. This miserable disappointment of King James's hopes made way for our late glorious revolution, which was brought about by the hearty endeavours, and accompanied with the most unfeigned vows and wishes of all true lovers of their country, who, from hence, expected a full deliverance from their present miseries, and a sure remedy from their future fears. For what happiness might not the people well hope for under the government of the best of kings, supported by the best of titles, *viz.* The general consent and election of his people? We were filled with golden dreams, not only of a bare security for our estates and lives, but an inexhausted affluence of all manner of blessings a nation is capable of enjoying. But, though we have dreamt the dreams, yet have we not seen the visions. And though the nation is, by this time, sadly sensible, how wretchedly they have fallen short of their expected happiness, yet are they not all acquainted with the true spring and fountain from whence all their misfortunes flow; which is, indeed, no other, than that barefaced and openly avowed corruption, which, like an universal leprosy, has so notoriously infected and overspread both our court and parliament. It is, from hence, are plainly derived all the calamities and distractions under which the whole nation at present groans: It is this that has changed the very natures of Englishmen, and, of valiant, made them cowards; of eloquent, dumb; and, of honest men, villains: It is this can make a whole house of commons eat their own words, and counter-vote what they had just before resolved on: It is this could summon the mercenary members from all quarters of the town in an instant, to vote their fellow-criminals innocent: It is this that can make a parliament throw away the people's money with the utmost profusion, without enquiring into the management of it: It is this that put a stop to the examination of that scandalous escape of the Thoulon fleet into Brest: It is this that has encouraged the mismanagements of the admiralty, in relation to the loss of so vast a number of men of war, and merchant ships, as well as other miscarriages, which were by all men judged to proceed, not from their want of understanding in sea-affairs: It is this that has hindered the passing a bill so often brought into the house for

incapacitating members to bear offices : It is this that could not only indemnify, but honour a leading member, for his audacious procuring and accepting a grant of lands, which, by the parliament, had been set a-part for the publick service ; a vote that shall stand recorded in their own journals, to the never-dying infamy of that mercenary assembly : It is this could make the same person most confidently affirm, that he was sure the majority of the house would agree to what he was going to propose : It is this that could make men of peaceable dispositions, and considerable estates, vote for a standing army : It is this that could bring admirals to confess, that our fleets, under their command, was no security to us : It is this could make wise men act against their own apparent interest : In short, it is this that has infatuated our prudence, staggered our constancy, sullied our reputation, and introduced a total defection from all true English principles. Bribery is, indeed, so sure and unavoidable a way to destroy any nation, that we may all sit down and wonder, that so much as the very name of a free government is yet continued to us. And, if, by our wary choice of members, we should happen to recover our ancient constitution, we shall, with horror and amazement, look back, and reflect upon the dreadful precipice we so narrowly escaped.

7. Fatal experience has now, more than enough, convinced us, that courts have been the same in all ages, and that few persons have been found of such approved constancy and resolution, as to withstand the powerful allurements and temptations which from thence have been continually dispensed, for the corrupting of men's minds, and debauching their honest principles. Such instances of the frailty of human nature may be given, within these few years past, as might make a man even ashamed of his own species, and which, were they not so open and notorious, ought, out of pity to mankind, to be buried in perpetual silence. Who can enough lament the wretched degeneracy of the age we live in ? To see persons, who were formerly noted for the most vigorous assertors of their country's liberty, who, from their infancy, had imbibed no other notions, than what conduced to the publick safety, whose principles were further improved and confirmed by the advantages of a suitable conversation, and who were so far possessed with this spirit of liberty, that it sometimes transported them beyond the bounds of moderation, even to unwarrantable excesses : To see these men, I say, so infamously fall in with the arbitrary measures of the court, and appear the most active instruments for enslaving their country ; and that, without any formal steps or degrees, but, all in an instant, is so violent and surprising a transition, from one extrem to another, without passing the mean, as would have confounded the imaginations of Euclid or Pyrrho. All the stated maxims, in relation to the nature of mankind, which have been long ago settled and established by philosophers, and observing men, are now baffled and exploded ; and we have nothing left us to contemplate, but the wild extravagancies of romantick fables, the sudden conveyances of nimble-fingered jug-

glers, the inimitable dispatches of transubstantiating priests, or the now more credible metamorphoses of men into beasts.

8. The necessity we have lain under of frequent meetings of parliament, during the war, has taught our managers so much dexterity and address in their applications to the members of that assembly, that they are now become consummate masters in that most detestable art of corrupting our representatives, by hopes and fears of attaining or losing offices and preferments. And though I here name offices, yet those offices are downright bribes and pensions, since they are held precariously from the court, and constantly taken away upon non-compliance with the court-measures; though I am not ignorant, that several considerable pensions were also paid out of the Exchequer to members of both houses. For places could not be had for all, though they have tried all imaginable arts, for dividing among themselves the considerable posts of the kingdom; for, either by splitting of offices among several persons which were formerly executed by one, or by reviving such as were sunk, or by creating others which were altogether useless and unnecessary, or by promises of preferment to those who could not presently be provided for, they had made above two-hundred members absolutely dependent upon them. And what points may not such a number carry in the house, who are always ready, and constantly attending, with more diligence to destroy our constitution, than the rest were to preserve it? Who represented not their country, but themselves, and always kept together in a close and undivided phalanx, impenetrable either by shame or honour, voting always the same way, and saying always the same things, as if they were no longer voluntary agents, but so many engines, merely turned about by a mechanick motion, like an organ, where the great humming bases, as well as the little squeaking trebles, are filled but with one blast of wind from the same sound-board. Yet a few of them may, in some measure be distinguished from those pointblank voters, whom neither their country's safety, nor their own more dear and valued interest, nor the persuasion of their once intimate friends, nor fear of reproach, nor love of reputation, could ever prevail to join in an honest point, or dissent from a question that carried in it the violation of the rights and properties of the subject. These are the men who have persuaded his majesty, or rather assumed to themselves, not to fill up any vacant offices, whilst the parliament is sitting; but to keep all pretenders in a dependence till the end of the session, and bind them up to their ill behaviour, which will then be their best pretence to demand their wages of unrighteousness: Witness the commission of excise the last session, which was sued for by, and promised to above thirty competitors, who all did their utmost to signalise their several merits for an office, which, doubtless, will be at last divided amongst those who have deserved worst of their country. By these means, they made their numbers and interest in the house so great, that no miscarriage in the government could ever be redressed, nor the meanest tool, belonging to them, be punished: Some of which they did, indeed, take into their own hands, which raised in the people a high expectation that some ex-



traordinary penalties would be inflicted upon them; when their design, at the same time, was nothing else but to protect and screen them from the ordinary course of justice. Such is now the difference, in point of corruption, between a common jury and the grand jury of the nation! such a mutual assistance and support have they been to one another, in the several mismanagements of their trusts; so favourable have they been to their own creatures, and so implacable to those who have any way opposed their unjust proceedings, witness their scandalous partiality in the case of Duncomb, which I hope to see printed at large; for the satisfaction of the publick. If it were truly represented, I am sure there needs nothing more to excite in the people an universal detestation of their arrogance and injustice. And yet do these apostates pretend to value themselves upon their merit, in contriving that most destructive project of Exchequer bills, by which all impartial men must either think they notoriously dissemble with us, or that they have indeed lost their senses, when they speak of publick service; the word is so unbecoming in their mouths, and so awkwardly pronounced, that they seem not to breathe in their own element, when they usurp the name. These are the men who have endeavoured to render our condition hopeless, even beyond the power of the king himself to relieve us: For though his majesty be deservedly loved and honoured by his people, for his readiness to do them justice, and ease their oppressions, yet can we not expect it from him, whilst he is thus beset and surrounded, and his palaces invested by these conspirators against his own honour, and the welfare of his kingdoms. The only remedy, therefore, that remains is, to chuse such a parliament who lie under no temptations, and are acted by no other motives, but the real and true interest of his majesty and his dominions; a parliament that will fall unanimously upon publick business, and be free from those petty factions, and personal piques, which in the late session so shamefully obstructed and delayed the most important service of the commonwealth.

9. If it should be pretended, that the nation is yet unsettled, and the fear of King James has forced them upon these extraordinary methods for their own preservation; I answer, that no cause whatsoever can be justly alledged in vindication of such vile arts, and pernicious practices. But, I would farther ask them, what necessity there is, upon that account, for their gaining such prodigious estates to themselves, in so short a time, and in so merciless a way, when the nation was racked to the utmost by taxes in a long and expensive war? Is it the fear of King James, that has brought such a reproach upon our revolution, as if it needed to be supported by such mean and unjustifiable practices? Is it the fear of King James, that makes us content he should live so near us, or that he should be maintained at our own charge of fifty-thousand pounds *per annum*? Or has not rather King James been made the pretence for the unwarrantable proceedings of our conspirators, during the war, and since the conclusion of the peace? It is very strange, that King James, who is but their jest in private, should be thus made their publick bugbear, to frighten us out of our senses, like children; so that King James must be at

last our ruin abroad, who could not compass it by all his power and interest at home. And, in this sense, I am of their opinion, that we are not yet quite delivered from the fear of King James, who must be made the instrument of our slavery, by those very persons who pretend their greatest merit to consist in delivering us from him. But what is this, but making the old abdicated tyrant a footstool to ascend the throne of absolute power, and a scaffold for erecting that proud and stately edifice, from whence we have so justly tumbled him down headlong? But, it is to be hoped, the nation will be no longer imposed on by such stale pretences as these, and that a well chosen parliament will not fail to pass their severest censures upon those who would thus jest us out of all that is dear and valuable amongst us: That they will no longer resemble a flock of sheep (as Cato said of the Romans in his time) that follow the bell-wether, and are contented, when all together, to be led by the noses of such whose counsels not a man of them would make use of in a private cause of his own: That they will at last vindicate the honour of England, and imitate their wise ancestors, in hunting down these beasts of prey, these noxious vermin to the commonwealth, rather than suffer themselves to be led in collars and couples by one mighty Nimrod, who, upon the turning up his nose, shall expect a full cry of sequacious animals, who must either join voices, or be turned out of the pack.

10. Notwithstanding what I have said, I would not have any of them either really imagine themselves, or falsely suggest to others, that I envy them their places and preferments, which I am so far from doing, that I wish they rather had them, for the term of their lives. I desire only they may be subject to the laws, and to some power on earth, that may call them to account for their misbehaviours, that they may not be their own judges, that our sovereign remedy may not prove our chief disease, and that the kid may be seethed in something else than its mother's milk. Nor would I, by any means, deny them their seats in parliament, provided they are in a condition to speak and act freely, and discharged from those temptations, which I find they have not constancy enough to withstand; for, after all, I still believe many of them so honest, that nothing but money, or preferments, will corrupt them. But if nothing will satisfy them, but the downright subversion of our constitution; if they will be content with nothing but the utter abolishing of all laws, and the rooting up of those fences, and securities, provided by our ancestors for the preservation of all things that are sacred and esteemed amongst mankind; it is high time for the electors to look about them, and disappoint their unreasonable and exorbitant hopes, and to spew them out as detestable members of the commonwealth; not only as unfit to be trusted with their liberties, but as unworthy to breathe in the air of a free government.

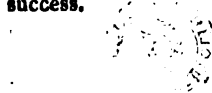
11. If any should say, that the alterations in elections will stand us in no stead, since, whoever are chosen, will still be bought off and bribed by court preferments; I answer, it will require a considerable time to new model and debauch a House of Commons, nor can it be done but by displacing all those, who are already possessed, to

make room for these new comers, which will make the trade and mystery of bribery more plain, and consequently more abhorred. And, since no parliament can now sit above three years, the court will meet with fresh difficulties to interrupt them, which may possibly at last make them weary of these practices. It is true indeed, this consideration ought to make us more circumspect, in our choice of members, for though we should chuse but an inconsiderable number of pensioners, yet will they soon be able to work over a majority to their side; so true is the saying, 'A little leaven leavens the whole lump.' Whoever therefore out of any particular friendship, or other motives of fear or private interest, should vote for any one person, so qualified; let him consider, that, as much as in him lies, he makes a compliment of all the liberties of England to the unsatiable avarice and ambition of statesmen and court ministers. Since, therefore, we have so narrowly escaped our destruction, and one session more of the last parliament would infallibly have ruined our constitution, we cannot surely be so grossly overseen as to neglect the opportunity, now put into our hands, for avoiding the like hazards, in time to come; which may easily be done, if the free-holders and burghers in England will petition, and engage their representatives to consent to a bill which shall be brought into the house, to incapacitate all members for holding offices and preferments; or, if it should be thought too much to debar them, altogether, from the enjoyment of posts of honour and advantage, let them keep them, during good behaviour, and not otherwise; that such places may not be reserved in store for those, who shall be from time to time elected, and thereby a continued course of corruption be carried on successively through the whole nation, who will, in a few years, insensibly find themselves so universally infected with this insinuating vice, that we shall be thoroughly ripe for destruction, and readily expose to sale the liberties of England, by auction, to the fairest bidder. If it was deservedly thought one of our most dangerous grievances, that the judges, who only declare the law, should hold their places, *ad bene placitum*; what condition must we be in, when our law-makers themselves are subjected to the same temptations? Or what advantage have we got by having our judges commissions for life, when our very legislature itself is prostituted to bribery and sordid gain? The fortune of England is now brought to the nicest point, and there are critical seasons, which, if neglected, will never again be offered; and, should we now fail in our duty to our country, we shall assuredly fall unpitied by the rest of the world. But if, on the other hand, we can, by our fore-sight and diligence, prevent, for the future, the bribing and corruption of parliaments, it is not to be imagined what security, what happiness, and what immortal reputation will be the never-ceasing concomitants of such a settlement. If the very rump of a parliament, even in the midst of domestick discontents, and beset on all sides with foreign assaults and invasions, were able, by that one self denying act, to maintain the publick welfare from the danger of inward convulsions at home, and violent concussions from abroad; if that small and broken number, without any head,

and under so many disadvantages, could by this only means secure our peace, and so widely extend the repute and honour of the English name; what country or what religion could ever give limits to the unbounded reputation of a full and legal parliament, so nobly qualified? What nation could there be so powerful as to resist our forces, or so politick as to infatuate our counsels? There is nothing within the compass of human wishes, that we might not assure ourselves from the wisdom and virtue of such a disinterested assembly, headed and encouraged by the most auspicious prince that ever yet swayed the English scepter. A prince who only waits the opportunity of our own willingness to be happy, and is fixed with a longing eagerness to see the nation deserve the glorious effects of his inimitable conduct, and inexhausted beneficence; who only wishes a happy conjuncture of a free and unbiassed parliament, that he might join with them, in the rescue of himself and us, from the oppression of those devouring harpies, who would tear off the yet green and flourishing lawrels from his majestick brows, and ungratefully cast a tarnish upon the lustre of his bright and shining achievements: That he might dissipate those inauspicious vapours, which have hindered him from breaking out in the height of his meridian glories, and intercepted his benign and noble influence upon his inferior and dependent orbs: That he might deliver up to justice those traitorous and insinuating parasites, who endeavour to inspire into his sacred breast an unworthy jealousy of his people, as if he wanted the assistance of a standing army to secure and establish to himself that throne, which he has already so firmly erected in the hearts and affections of his subjects: And lastly, that he might wholly discharge himself of those wretched and perfidious statesmen, who endeavour to fix the brand of their own acquired infamy upon their master, that they might make him as hateful to one party, for their vices, as he is already to another, for his own virtues, and deprive him of the glorious title, of the world's greatest benefactor, which he has so justly purchased to himself, by his immortal performances.

12. I shall conclude with one word, in answer to such who may possibly think I have reflected too much upon the supineness and base neglect of the people of England; as if it were possible they could be such monstrous and unnatural self-murderers, as to give away with their own breath, and free consent, all their rights to their estates and lives. I confess I should be glad to find my labour lost upon this account: But I desire such to consider, that there are many honest and well-meaning Englishmen, who do not distinguish between our present government, and our present way of governing; whose distance from the parliament, multiplicity of business, or other circumstances in the world, render them less able to penetrate the designs that are now carrying on, for the total subversion of our most excellent constitution. And it is plain on the other hand, that the great and unwearied diligence of the present conspirators, against our government, in order to support their future elections, does infer their thoughts, that the majority of the electors are capable of being imposed upon, in this gross and unexampled manner. Since,

therefore, those, who are making us slaves, think it no great difficulty to effect their purposes, I see no reason, why I ought to be so tender as to forbear expressing my fears and apprehensions of their success.



## NEW LOOKING-GLASS FOR THE KINGDOM;

*Wherein those that admire the late Governments\*, may have a true prospect of Liberty and Slavery, and take their choice.*

[From a half sheet, Folio, printed at London, for J. C. near Fleet-Bridge, 1690.]

**I**N the twelfth year of King Charles the Second, being the first of his restoration, there was granted to him a subsidy of tonnage and poundage, and other sums of money, payable upon merchandise imported and exported, in consideration of the great trust and confidence which the parliament reposed in his majesty, 'in and for the guarding the seas,' against all persons that should attempt the disturbance of his subjects in the intercourse of trade, or by invasion of the kingdom.

The same year came forth another act, for the speedy provision of money, for disbanding and paying off the forces of the kingdom, by land and sea, by a contribution of all persons, according to their several ranks and degrees.

The same year likewise, by two acts more, were given to the king, by the one, seven-score-thousand pounds, for the compleat disbanding of the whole army, and paying off some part of the navy, by a two months assessment of seventy-thousand pounds a month: By the other, seventy-thousand pounds, as a present supply to his majesty.

After which, followed the act for settling certain impositions upon beer, ale, and other liquors, for the increase of his majesty's revenue, during his life.

The same year also, the post-office was erected by the parliament, with a considerable revenue accruing to the king. This parliament, after these great gifts, being dissolved, the next year, being the thirteenth of the king's reign, sat a new parliament, which, in the first place, passed an act for the 'free and voluntary present;' and then passed an act for granting to the king twelve-hundred and threescore-thousand pounds to be assessed and levied by an assessment of threescore and ten-thousand pounds a month, for eighteen months.

\* Of King Charles the Second and King James the Second.

In the fourteenth year of the king, the additional revenue of hearth-money was settled upon his majesty, his heirs and successors.

In the fifteenth year of the king, were granted four intire subsidies from the temporality, and four from the clergy.

In the sixteenth year of the king, a royal aid was granted by the same parliament, of twenty-four-thousand four-hundred three-score and seventeen-thousand and five-hundred pounds, to be raised, levied, and paid, in three years space, for the king's extraordinary occasions. As an addition to which, in his seventeenth year, twelve-hundred and fifty-thousand pounds were granted for his majesty's farther supply, by the parliament at Oxon.

In the eighteenth year of the king, more money was raised by a poll-bill, for the prosecution of the Dutch war.

In his nineteenth year came forth another act, for raising three-hundred and ten-thousand pounds, by an imposition on wines and other liquors.

After which followed, in his twenty-second year, an imposition upon all wines and vinegar, for eight years, which was attended by the imposition upon brandy: together with another act, for advancing the sale of fee-farm-rents, and other rents; both valued at one-million thirteen-hundred and three-score thousand pounds.

In the twenty-second and twenty-third years of the reign of King Charles the Second, was granted another subsidy for supply of his occasions; twelve pence in the pound upon all lands, and money at interest; fifteen shillings in the hundred for all money owing to the bankers, and six shillings in the hundred upon personal estates.

After which, there followed an act for additional excise upon beer, ale, and other liquors; to which succeeded the law-bill: which three, being summed up together, were estimated at no less than two millions and a half.

After this, at the adjournment of the parliament, upon the sixteenth of April, 1677, being the twentieth of the king, passed an act, for raising the sum of five-hundred eighty-four-thousand nine-hundred seventy-eight pounds, two shillings, and two-pence halfpenny, for the speedy building thirty ships of war. Together with an additional excise upon beer, ale, and other liquors, for three years.

Upon the fifteenth of July, 1678, being the thirtieth of the king, passed an act, for granting a supply to his majesty, of six-hundred and nineteen-thousand three-hundred eighty-eight pounds, eleven shillings, and nine pence, for disbanding the army, and other uses therein mentioned.

With another act, for granting an additional duty upon wines for three years.

To all which may be added (for it cannot be forgotten in haste) the shutting up of the exchequer.

This, if it be not a perfect arithmetical account to some thousands of pounds, perhaps, yet it comes pretty near the matter, to shew, as in a mirror, the prodigious sums it cost the kingdom, in a few years, to maintain the vanity and profuseness of the court at that time, and to

support a design carried on all along, to subvert the religion, laws, liberties, and properties of the whole nation.

It is generally imprinted in the minds of men, that there is nothing so dear to them, as the preservation of their religion, their laws, their liberties, and properties. Life is contemned, to preserve these four inestimable comforts of human being; which makes it a strange thing to consider, that people, who were so lavish to undo themselves, should so stingily grudge a necessary, though more than ordinary expence, to be for ever quit of future danger.

They do not find their money now profusely wasted upon the excesses of prodigal luxury, nor upon wars, to extirpate the Protestant religion; nor upon designs, to enslave both their souls and bodies; but thriftily expended, by a frugal and saving prince\*, once their generous and fortunate preserver, upon men, arms, and all manner of warlike ammunition, both by sea and land.

They find not now pretences of wars to juggle them out of their wealth, to be as deceitfully expended either upon pleasure, or to support the interest of the common foe: But a real war at the door, maintained by the capital enemies of the Protestant religion, and the general peace of Europe: and withstood with as much vigour, as prudent counsel and wary conduct will permit, by a prince no less vigilant, no less courageous and formidable, than his adversaries are potent and malicious.

To repine at expence, at such a time as this, and in the management of such princely and faithful hands, is to be like niggardly misers, that love the banquet, but grumble at the payment. The choice is now, whether to be free for ever, or slaves for ever? The expence is necessary, therefore just; and, being necessary and just, no true Englishman will murmur at the purchase of his own, and the preservation of his posterity, though it cost never so dear.

Is it possible there should be men that should so soon forget the late ravages of tyranny and popery, upon their religion and laws? Is it possible for fathers to forget the murders of their sons, or for sons to forget the haling of their parents to execution†? Is it possible for them to forget the contrivances of sham plots, and the subornation of perjured evidence, to take away the lives of the innocent‡? They that so fondly kiss the late king's picture, and are so covetous of his return, forget the verses made upon the cruelty of Tiberius, that gave them sufficient warning of a prince returning from exile to power again, by the examples of Marius, Sylla, and Mark Anthony. There is nothing to be so much dreaded, as the disposition of a prince, *longo exilio efferati*, i. e. grown wild with long exilement; and, *ignominia accensi*, i. e. enraged at the ignominy he has received. They forget how infinitely the abdicated king must be beholden to his French patron, the professed enemy of the English name and freedom, if ever this kingdom should be so unhappy as to be under his clutches again. For, farewell, then, that noble liberty, which has so long blessed this fortunate land. And, therefore, the miseries of the

\* King William the Third.

† As was done in the west by Judge Jeffries, and Col. Kirk, after Monmouth's defeat, in the reign of James the Second.

## ACCOUNT OF THE WEST INDIA COLONIES. 403

French government should be enough to make these unthinking Jacobites tremble at the very sound of what they so extremely wish for, the return of their idol. The very picture of France is enough to kill with the sight of it. Where the people live in cottages of straw, in a fat and fertile soil, reduced to the utmost degree of poverty; where the miserable peasant, after he has tilled his land, when he comes to reap the fruit of his labour, has nothing to feed him but the rye and barley, or a few chesnuts; nothing to drink but water squeezed through the lees of the pressed gräpe; the collectors of the taxes, the impost-gatherers, and other ravenous beasts of prey carry off the corn, his wine, his oil, and other choicer conveniencies of life; so innumerable are the taxes, imposts, rights of entrance, peages, aids, &c. which, if a man should reckon up, he would seem to talk the language of a conjurer; and all these so tyrannically exacted, by the numberless swarms of ruffians, publicans, and harpies, as render one of the most delightful countries in the world a hell upon earth. Into this condition was England tumbling, till redeemed by their most sacred majesties, King William and Queen Mary; and such would England be, if these unreasonable Jacobites might have their will; which God forbid.

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### AN HISTORICAL ACCOUNT OF THE RISE AND GROWTH OF THE WEST-INDIA COLONIES,

And of the great Advantages they are to England, in  
respect to Trade.

LICENSED ACCORDING TO ORDER.

London, printed 1690. Quarto, containing fifty-three pages, beside  
the title and dedication.

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### THE DEDICATION.

*To my much honoured Friend, Sir Robert Davers, Baronet, and to  
the rest of the Gentlemen interested and concerned in the West-Indies.*

GENTLEMEN,

**T**HE following treatise was occasioned by the great and just complaints made by you, of the additional duty that was laid upon your product, and fell upon your labour and industry, though designed by the parliament to have been paid by the consumptioner; at that



time, the inventions of most men were at work (especially those that had any dealing with you, and a sense of your sufferings) to contrive a method, whereby relief might have given you, that are the best employed hands for the enriching and supporting this nation.

After much time had been spent, in endeavouring the taking off the duty, and it was found that no arguments were prevalent, and almost all people despairing of relief, then Col. Waldron, myself, and others, with no small pains, nor little charge, contrived (as we thought) a method, that might not only have laid the duty on the consumptioner, but also might have relieved you from the complaints of those that do charge you with being great debtors, and to have enabled every planter to make the best advantage of their plantations, by supplying them with monies, at the common interest of the colonies, by preventing numerous sellers, necessitous and ignorant sales.

And that this might run through the most strict examination, before it should have been allowed of, we proposed, that his late majesty, and privy-council, might have the first view of it, that they might be satisfied it did not lessen his majesty's revenue, and that we might have his majesty's leave to propose it to the assemblies of every individual colony; and, if they did approve of it, and petitioned his majesty for the incorporating such societies, that then we, and our friends, might be interested in it.

But this, meeting with opposition, occasioned a hearing before his majesty, and the lords of his privy-council; and, after they were satisfied it did not lessen his majesty's revenue, our great debate, with the opposers, was about his majesty's giving leave for the sending of it to the colonies for them to try and examine it. His majesty was pleased to declare, that he could not understand any reason could be given why they might not have a sight of it, for he thought Barbadoes best knew what Barbadoes wanted. I believe none will deny, but that it met with a general approbation of all the lords of the council, except my Lord Chancellor, of whom I was informed by a friend (but at that time an opposer of this design) that he was our enemy, and accordingly we found him.

Soon after this hearing, the government began to be uneasy, and holding it not proper for a matter of this nature, to be further proceeded on, under an unsettled government, I rather chose to be silent, and bear such reflexions as were made by those that were totally ignorant of the method of our undertaking, though prejudicial to my particular interest, than to expose it to view, before I saw the government in a temper to consider of trade, and the great benefit you are to this nation.

Therefore, I have now exposed it for your view, that you may be judges whether it might have been, or may be serviceable to you, and whether our request of sending it to you was unreasonable.

You will find, by this treatise (as I humbly conceive) that our design would, at least, have raised the value of your goods to the price it bore before the additional duty was laid; and it was allowed at that hearing, by the opposers, that it would raise, at least, twenty per cent. Our method was, to have had all your goods, that came

to England, brought to one body of men, which we called a common factory, and they constantly to be chosen by you in your assemblies, and they to have been accountable to every consigner for the net proceed of every parcel of goods sold, for which your charge was not to exceed what you now pay. The other part of our design was to erect a company, separate from the common factory, which should have sufficient funds in each colony, to lend what monies you had occasion of, you giving security on lands or goods; and, if they did not lend it, on demand, they were to forfeit to the borrower considerable for every hundred pound demanded, the lands or goods being valued by sworn appraisers. What was lent, was to be continued during your pleasure, you paying your interest, when due, and you had power to pay it in, when you pleased, and they obliged to lend too, at least, one half value of land, or goods, and you not to have been confined to have borrowed it of them, but where else you pleased; so that this company might have been serviceable, but could not have been hurtful, for they were bound to obey, and had no power to command.

To make it next to impossibility, that the government should ever be imposed on, to permit any laws or designs of any persons whatsoever, let their pretences be ever so specious, to take effect, until the colonies, by their assembly, were consulted with: I have, to the best of my knowledge, given a true and just account of what import you are to this nation, by increasing of navigation, consuming the woollen-manufactory, of all sorts of apparel, household goods, &c. that are made in England; and that which was formerly foreign commodities, and cost us considerable yearly, by your industry, is become native, the nation freed from that charge, and the consumptioner saves, at least, one half of his expence, for the like quantity; besides the great advantage this nation receives by your goods exported, being over and above our consumption; and, lastly, all the riches you get in the Indies, by your great care, labour, and industry, is brought to England, and here it centers.

If you will be pleased to rectify my errors, that I through ignorance may have committed, that our legislators may be more fully satisfied, that you are, and ever must be Englishmen, and that you are much more beneficially employed there, for the benefit of this nation, than any the like number in England; that every hardship that is put upon you, that makes your goods dearer in foreign markets, or lessens the consumption in England, is a lessening to the trade of England, and, consequently, prejudicial to every subject in England: and, if this small treatise meets with your kind acceptance, I shall think myself very happy, and shall always be ready to demonstrate, that I am your well wisher, and, Gentlemen,

Your most humble and faithful Servant,

DALBY THOMAS.

## CHAP. I.

THERE is nothing more frequent amongst the generality of mankind than is the drawing wrong conclusions from right premisses, whereby the most concise and truest maxims and sayings, that wise men upon solid thinking have contrived to guide us, like landmarks, in the search of truth, are perverted by wrong applications, to drown our understandings in the gulph of error.

Thus, because truth itself is not truer, than that people are the wealth of a nation, those who have not time, experience, and skill, to examine the fund of that undeniable verity, though, in other things, men of excellent understandings, are apt to infer, that all, who set foot out of the kingdom, are in some degree a diminution of its wealth, and thence take for granted, that the American colonies occasion the decay both of the people and riches of the nation; when, upon a thorough examination, nothing can appear more erroneous, as I doubt not to make plain to every man, though my principal design is to convince the nobility and gentry of the kingdom, who, being the contrivers of our statutes and most concerned for the preservation of its grandeur, ought rightly to be informed, for fear our laws in time take a contrary byass to our trade and navigation, which are undeniably our glory and strength, as well as the fountain of our riches.

To make this point clear, it is necessary to consider and examine four things.

1. What is real wealth :
2. What is imaginary wealth :
3. How these are acquired :
4. How they may be lost.

To distinguish rightly in these points, we must consider money, as the least part of the wealth of any nation, and think of it only as a scale to weigh one thing against another, or as counters to reckon riches by, or as a pawn of intrinsick value, to deposit in lieu of any necessary whatsoever.

True, solid, and real wealth, therefore, in respect to the nation, is the land, and what is upon, or under its surface, as useful buildings, trees, quarries, mines, &c.

Thus by a good computation, made by Sir William Petty, which we will take for granted till there appears a better, we may reckon the present rent of land and houses to be ten millions of pounds, per annum, which at twenty years purchase amounts to two hundred millions of pounds.

The people of this nation consume annually, in necessary meat, drink, and cloaths, computed from their numbers, manner of living, and usual price current of things, about fifty millions of pounds, annually, which is about six pounds ten shillings a head.

The imaginary wealth therefore of the nation, which consists in labour, trade, and negotiation, is four times as much as the real, and, preserved in its natural channels, is to be reduced to the same value in purchase as land; whereby we may allow, that the intrinsick worth

of the people and kingdom, as they now stand together, is a thousand millions of pounds.

The money in species of the nation, though the scale by which the whole is valued and weighed, amounts not to six millions.

Now such as do account the lands and buildings of the nation more valuable, because real, than the negotiation, because accidental and imaginary, will find themselves mistaken; since lands and houses, without people, are of no value at all, and to a naked and unindustrious nation very little more, so that labour, invention, trade, and negotiation are the only causes of, as well as supports to that we call riches.

This is so self-evident that it will be superfluous to illustrate it by many examples or comparisons between civil and barbarous countries.

Therefore we must consider, that when it is said, people are the wealth of a nation, it is only meant, laborious and industrious people, and not such as are wholly unemployed, as gentry, clergy, lawyers, servingmen, and beggars, &c. Or which is worse, employed only in disturbing the industrious and laborious, as pettifoggers, informers, catchpoles, and thieves; and, though the first sorts may be necessary, as harmless spurs to consumption, learning, or virtue, or as objects of the good will, mutual love, pity and compassion of human nature, as well as increasers of the numbers by children, yet the fewer such the better; whereas the last should by all imaginary ways be discouraged, tamed, or destroyed, as the worst of vermin in a well-governed commonwealth.

We must likewise consider, that the value of every thing useful to the necessities, luxuries, or vanities of this life, is measured by the industry and labour either of body or mind, which is necessary to their acquirement, whereby things of little or no price in one country, by the time spent, labour and hazard of those which carry them to another, become dear.

From all which it is plain, that only industrious and laborious people are the riches of any nation; and it will as naturally follow, these laborious or industrious, who employ their talents to most advantage, are of most value to such nation.

And though a man, whose skill amounts to no more than to earn three pence a day by his continual labour, can no ways add to the wealth of a kingdom like ours, because it will not supply his necessary consumption, yet such a man is a less burthen to it, than one totally idle, and may increase the number by children.

So again, one that constantly by his labour can earn six pence a day only, and consumes just so much, as he is not advantageous to the nation's wealth, so he is no burthen neither, and occasions its increase.

But that man, who, by industry and labour, not only maintains himself and family, but makes himself rich, is, to the proportion of his wealth, just so much addition to the intrinsick value of the kingdom.

I have the more enlarged upon this head, that I might lead the

mind of the reader, by a natural chain of consequences, rightly to understand the true original and everlasting support of wealth, which is nothing else but labour.

As for such persons who by the faculties of the mind only acquire riches to themselves, as soldiers, lawyers, divines, bankers, retailers, victuallers, &c. they, though necessary callings, are no increasers of the nation's wealth, nor is the kingdom more rich by the fluctuating and circulation of money among such, than one of them would be by putting his money out of one chest into another, or shifting it from one pocket to another.

But where soldiery becomes the trade of a people, as among the Switzers and Scots it is, who serve abroad for money, and bring it home to purchase lands there, it is of equal benefit to any other labour, by increasing the rates and value of the real wealth of those countries, which, as amongst all other civil nations, is land, and houses.

I doubt not but the reader by this time will perceive, that in what way soever a man employs his labour and industry, either at home or abroad, so that at last he increases the value of the real wealth of the nation, he is, in the proportion of such increase, a benefit thereunto.

And, on the contrary, he that labours not at all, or so much as not to increase the intrinsic value of his country, is just good for nothing.

To leave this truth plain beyond dispute, I beg the doubter but to consider, that if all the laborious people of the kingdom left working, and were to live upon the natural produce of it, to be distributed to them in equal proportions by way of charity, as parish-poor and beggars are now supported, how long it would be before the nation became necessitous, naked, and starving, and consequently the land and houses worth nothing.

A short reflexion would make him sensible that a very few years of idleness would compleat the matter; whence he can no longer doubt, but that labour and industry, rightly applied, is the sole cause of the wealth of a nation; that money is only the scales or touchstone to weigh or value things by; and that land itself would yield no rent, but as labour employed for the support of luxuries, as well as necessities, did find a due encouragement and increase.

In short it is plain hereby,

1. That real wealth is land and houses;
2. That imaginary wealth is the laborious people.
3. That the real and imaginary wealth both increase only, as industry is rightly applied by great numbers of laborious people; and not by increase of people only.
4. And the increase of people, wilfully or accidentally idle, is so far from being national riches, that it is the surest and speediest way to inevitable poverty, famine, and nakedness, and must decay the value as well of the real, as imaginary wealth of the nation, proportionably to the decay of industry.

Thus civil wars, disorders, and changes in the government of na-

tions, by the many which become soldiers, and others that cease labouring in their trades and industry, for want of security, insensibly impoverish countries, much more than those slain in such changes do; by reason that those that die, as they add nothing, do consume nothing in the commonwealth; whereas the idle living add nothing, and consume much to its destruction.

I shall say no more therefore on this subject, but hasten to the consideration of which hands are best employed to the advantage of the wealth of this kingdom, as our trade and negotiation now stand.

*First*, then, the premisses considered, we may lay down as an undeniable verity, that those men who add most by their labour to the increase of the intrinsick wealth of the nation, either real or imaginary, and consume least, are best employed.

Again, on the contrary, those that consume most, and add least, are worst employed.

Now it will be impossible, in the short method I design, to enumerate and clearly distinguish between every sort of employment; wherefore I shall content myself only to hint at some few ways wherein men seem to do little, and yet are well employed, and others wherein they are very busy and laborious to little or no purpose.

To begin then as nature did in the cultivators of land and conductors of cattle.

The husbandmen's life not only seems but is extremely careful, laborious, and painful: The grasier's and shepherd's on the contrary, both seems and is a very careless, quiet, and easy way of spending time.

Yet, though the first sort are usually paid most wages, and consequently can afford and do consume most upon themselves, the last notwithstanding are of much more value to the commonwealth.

For two-hundred sheep, or twenty cows, require but forty acres of good land, and one man's easy care for a year's pasture, the profit of which by the increase of lambs, calves, wool, butter, cheese, &c. and the meliorating the wool by manufacture, is of four times at least more advantage to the commonwealth, than the same number of acres employed in tillage, which requires the constant drudgery of two men and four horses at least; besides, that the greatest part of what is produced by tillage is consumed in the nation; whereas manufactured wool from sheep, tallow, leather, shoes, butter, cheese, salt, beef, and many other things, arising from pasture, are staple commodities for transportation, which fetch us back silver, gold, and foreign goods, useful to the ornament and pleasure, if not necessities of life: I must affirm, the commodity which is transported is the only true increase of national strength and wealth; and that sort of reformers who would have nothing made, used, or consumed, but what nature absolutely requires, are but short-sighted and narrow thinkers, as well in politicks as religion: And though they may adorn their opinions and argument, with the names of Lycurgus, Cato, and other sower reasoners, yet all their discourses tend to no more but to reduce mankind back to be sheep-skin-weavers, acorn-eaters, and

water-drinkers ; again, the bountiful God of nature supplying every country of the world, with what is fully sufficient to sustain life.

Therefore to say, as many are apt to do, that England can live of itself, without the assistance of any foreign nation, is to give it not the least commendation beyond any other country ; but to say, and that truly, that England, by the industry of its inhabitants employed in shipping, plantations, mines, manufactures pastures, and tillage, doth not only abound in all sorts of commodities, as, native meat, drink, cloaths, houses and coaches, fit for the necessities, ease, and ornaments of life, but can outvie most nations of the world, for the vast plenty in varieties of wines, spices, drugs, fruits, silks, pictures, musick, silver, gold, precious stones, and all other the supports of grandure and delight, that is to speak it, a truly civilised and glorious nation indeed.

And though some men through false and envious optics look upon these things as baits to vice, and occasions of effeminacy ; if they would but impartially examine the truth of matters, they would discern them to be the true spurs to virtue, valour, and the elevation of the mind, as well as the just rewards of industry. For,

It is certain, upon a right scrutiny, a man shall find more profaneness, dishonesty, drunkenness, and debauchery, practised in nasty rags, bare walls, and ale-houses, than in rich habits, palaces, or taverns ; and as plenty, splendor, and grandure can have no other fountain but wisdom, industry, and good conduct ; so shabbiness, indigence, and contempt rarely spring from any thing but folly, idleness, and vice. And where it happens otherwise by unexpected frauds, shipwrecks, fires, inundations, or maims, the shame of suffering it becomes the nation's reproach, since the rarity of these accidents would make the burden which crushes a particular scarce felt, when laid by a right method on the commonwealth, as I shall endeavour to make appear hereafter.

But, before I return again to the consideration, which part of the people are best employed for the publick good, I must, from what is premised, conclude, that, as all, who are not mischievously employed or totally idle, are of some benefit to the commonwealth, and should find due encouragement, so those ought to be most protected and least discouraged, by the laws, who are most usefully busy, for the increasing the value of the real and imaginary wealth of the nation : Thus, as I said before, the shepherd and grazier is to be preferred before the plough-man and thrasher.

So the miner is to be preferred to the shepherd and grazier, because all he produces, for transportation, is clear gains to the publick, whereas but part of the others doth so. The mariner is to be preferred to the miner, and the like to such who contribute most to foreign trade ; but in England the merchant adventurer is to be encouraged and preferred before the mariner, or any other artist, trade, or calling whatsoever : For though his labour seems a recreation rather than a toil, and consists chiefly in a regular methodising of a punctual rotation of credit, and change of commodities from one place to

another; yet considering that the whole produce of nature and art would be but dead matter without a proper motion to convey it to its true end, which is consumption: all other callings receive their vigour, life, strength, and increase from the merchant, commodities rising in esteem or value, as they are rightly distributed from place to place, and losing their very nature as well as worth, when by overstocking the market they become contemptible, or perish for want of use or consumption. Wherefore our laws should be so contrived as never in the least to discourage or check any conception or endeavour of the venturing merchant, to whose extravagant and hazardous, as well as prudent and cautious undertaking, this nation chiefly owes all its wealth and glory. And it is a mighty pity that all laws for customs and duties, as well as for regulating navigation, erecting companies, judging maritime controversies, granting letters of mart and reprisal, and for encouraging manufactures and societies of handicrafts, should not first be debated, prepared, and begun in a great council of trade, to consist of members elected and deputed by every plantation, maritime city, company, constitution and trade, which would desire to send members to it: And from thence after a free and full examination be represented to both houses of parliament for their approbation or dislike.

For trade is of that nature, that it requires frequent pruning, lopping, and restraining, as well as cultivating and cherishing, and thrives much better under proper and rightly applied restraints, duties, taxes, and excises, than in a general looseness; which being so, it is possible that a positive tonnage and poundage, like ours, should hit all accidents; attend the changes and mutations it receives, both at home by the plenty and scarcity of our native commodities, or abroad by the like ebbs and floods as well as the laws in foreign nations made or changed concerning it?

Or how indeed can the divines, lawyers, nobility, and great gentry of the kingdom be nice judges, and right distinguishers between the clashing and tangling interests of so great a mystery as universal trade, when few or none of them have ever had the least occasion to inspect or experiment any part of it?

The defect therefore of a free and able council of trade in this nation, though it cannot destroy, yet wonderfully retards and hinders the natural and genuine increase of navigation and merchandise, and consequently of rents.

But, for want of that, I will presume to go on in explaining the right and wrong application of men's industry, as they respect in general the wealth and grandure of the nation, or in particular the interest of our American colonies, in many of which I doubt not to demonstrate: One labouring man is of more advantage to England, though out of it, than any thirty of the like kind can be within it.

To explain which, I will take a short view of our sugar plantations, and the nature of that trade, to whose particular advantage and interest, after the kingdom's, I principally sacrifice my present pains,



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I therefore, with all submissiveness imaginable, desire our legislators to consider,

1. That the greatest consumption of sugar is made by themselves, and the rest of the rich and opulent people of the nation, though useful to all degrees of men.

2. That the quantity of it, yearly produced within those sugar colonies, is not less than forty-five thousand tons, English tonnage, each comprehending twenty pounds to the ton.

3. That about the moiety of that is consumed in England.

4. That the medium of the value of consumed sugar, at the present price current, is four-pence a pound.

5. That the quantity consumed in the nation, at that price, amounts to eight-hundred thousand pounds sterling, and upwards.

6. That the other moiety sent to foreign markets, after it has employed seamen, and earned freight, is sold for as much, and consequently brings back to the nation in money or useful goods annually eight hundred thousand pounds, which is more than any one other commodity doth.

7. Consider too, that, before sugars were produced in our own colonies, it bore three times the price it doth now: so that, by the same consumption, at the same price, except we made it ourselves, we should be forced to give in money, or money's worth, as, native commodities and labour, two millions four-hundred thousand pounds for the sugar we spend, or be without it to such a degree of disadvantage of well living, as that retrenchment would amount to. We must consider, too, that the spirits arising from molasses which is sent from the sugar colonies to the other colonies, and to England, which, if all were sold in England, and turned into spirits, it would amount annually to above five hundred thousand pounds, at half the price the like quantity of brandy from France would cost; and will yearly increase, as brandies are discouraged; and by most are held wholesomer for the body, which is observed by the long living of those in the colonies that are great drinkers of rum, which is the spirits we make of molasses, and the short living of those that are great drinkers of brandy in those parts.

The indico coming thence amounts to fifty-thousand pounds *per annum*.

The logwood, for which we formerly paid the Spaniards an hundred pounds *per ton*, now comes under fifteen pounds, and amounts to a thousand ton annually.

The cotton, for which we paid formerly about twelve pence *per pound*, now comes at five pence half-penny *per pound*, and amounts to a thousand ton *per annum*, besides the hands it employs in manufacturing it.

The ginger amounts to four-thousand ton *per annum*, and is not the sixth part in price of what the nation paid formerly for that commodity, or for pepper instead of it.

Not to speak of the many drugs, woods, cocoa, pimento, and spices, besides raw hides, &c. which come from those parts, nor of the great quantity of the gold and silver we have of the Spaniards

for Negroes, and the English manufactory carried by our sloops from our colonies to them.

So that it is demonstration, the nation saves and gains by the people employed in those colonies four hundred millions sterling *per annum*.

Now if it be considered that in all those sugar colonies there are not six hundred thousand white men, women, and children, it necessarily must follow, that one with another, above what they consume each of them earns for the publick above sixty pounds *per annum*.

Whereas, if the rent be ten millions,

And the consumption fifty millions,

Then by reducing labour and consumption to a proper balance with the produce of rents, and supposing the imaginary wealth of the whole kingdom to increase in time of peace, the tenth part annually, that will be but four millions, which does not amount to twelve shillings a head clear increase of wealth, one with another, above necessary and constant expences; from which it follows beyond controversy, that hands, employed in the sugar plantations are, one with another, of one-hundred and thirty times more value to the common-wealth than those which stay at home.

To this I easily foresee will be readily objected, for want of consideration, that those there consume nothing of native commodities, which if they did as these do which stay at home, their consumption would amount to three-hundred and ninety-thousand pounds annually, at six pounds ten shillings *per head*, as aforesaid, and would consequently increase the rents at least a fourth of that.

But to this I must remind the reader that I have demonstrated, that whatever is consumed by idle men, can never increase either the real or imaginary wealth of the nation, and that nothing but the overplus or consumption can be reckoned additional wealth, which, according to our reasonable computation, cannot be above two shillings a head, one with another; so that, if we would grant that those in the colonies did consume nothing of our home produce, the loss by want of them here could amount only to one million two-hundred thousand shillings annually, which is sixty-thousand pounds.

But, on the contrary, this is so far from being true, that, one with another, each white man, woman, and child, residing in the sugar plantations, occasions the consumption of more of our native commodities, and manufactures, than ten at home do.

This cannot be doubted by those that will consider the great quantity of beef, pork, salt, fish, butter, cheese, corn, and flour, as well as beer, English mum, cyder, and coals, constantly sent thither, of which commodities for the use of themselves or blacks, they have little or none of their own produce. Consider too, that all their powder, cannon, swords, guns, pikes, and other weapons; their cloaths, shoes, stockings, saddles, bridles, coaches, beds, chairs, stools, pictures, clocks, and watches; their pewter, brass, copper, and iron vessels and instruments; their sailcloth and cordage, of

which, in their building, shipping, mills, boiling, and distilling houses, field-labour and domestick uses, they consume infinite quantities, all which are made in and sent from England; not to speak of the great number of drudging and saddle-horses they take off, as well as that sort of people who would in their youth be consumed in idleness, or worse, at home, but there become useful to increase the nation's numbers and wealth both.

Besides, it must be remembered, that there are in those colonies at least five blacks for one white, so that, allowing the whites to be sixty-thousand, the blacks must be three-hundred thousand, all whose cloaths and European provisions, coming from England, increases the consumption of our native commodities and manufactures in a large proportion. But the axes, houghs, saws, rollers, shovels, knives, nails, and other iron instruments and tools, as well as the boilers, stills, and other useful vessels of copper, lead, and pewter, which are wasted, consumed, and destroyed by the industry and profitable labour of that mighty number of slaves, are not easily to be computed, but must plainly and beyond all contradiction be of great advantage to the nation, as well as to those industrious people employed at home in making them.

If these things, with the vast quantity of shipping that those colonies employ, be in the least reflected on, it will open the eyes of the most unexperienced person in the trade, to discern the mighty advantage the nation receives from those people which go to those colonies, and the great obligation there lies upon our legislators to study their due improvement, safety, and increase.

For, besides all the benefits demonstrably coming to the nation as aforesaid, they are in some kind maritime armies, ever ready not only to defend themselves but to punish the exorbitances, incroachments, piracies, and depredations of any insulting neighbouring nation; nor is it to be imagined in what awe those colonies, rightly managed, might keep our French, Spanish, Dutch, Danish, Brandenburg and Hamburg rivals, for wealth and maritime power, from entering into any treaties, alliances, or undertakings, to our disadvantage.

What has been said shall serve for an introduction in general to the more particular parts of the nation's interest in the American trade, and the due encouragement it ought to receive from the laws, which may naturally make us the most rich and flourishing part, as well as the undoubted arbitrators of Europe, if not of all the maritime nations of the world. And, in the next place, I will shew what discouragements those colonies lie under at present.

## CHAP. II.

THE better to explain this to every capacity, it will be necessary to make a short history of sugar, that, the invention, planting, and divers uses of it being known, the reader may thereby make a more perfect judgment of the national interest therein.

To which purpose it is first to be considered, that the Europeans, five hundred years since, were perfect strangers to the use of it, and scarcely knew its name; but the Venetians, about that time, being the great traders in East-India spices, gums, and drugs, did, amongst other rarities, introduce sugar, which the physicians soon found to answer all the ends of honey, without many of its ill effects; so that it quickly became a commodity in mighty esteem, and, though the price was ten times more than now, yet it prevailed so fast, and the consumption of it became so great, that an ill way of making, planting, and curing of it was, about three hundred years since, found out and practised in Greece, and some other neighbour nations, where the heat of the sun could in any degree ripen the cane.

But no nation made so considerable a progress therein as the Portuguese, who having, with some success, improved the art of planting it in their African colonies and islands, did, at last, make it their main business in Brasil, becoming thereby the only nation that set the price upon it to all the parts of the world, until the Hollanders grew their rivals for power and profit in that part of America.

But about fifty years since, during the war between those two nations in Brasil, a Hollander happened to arrive from thence upon our island of Barbadoes, where, though there were good sugar-canes, the English knew no other use of them than to make refreshing drink for that hot climate; intending, by planting tobacco there, to have equalled those of the Verina's, on which, ginger, cotton, and indico they meant to rely. But this Hollander, understanding sugar, was by one Mr. Drax and some other inhabitants there drawn in to make discovery of the art he had to make it; since which time, by the many ingenious men the last civil war necessitated to seek their fortunes in that new world, there have been found out so many several sorts of mills, coppers, boilers, stoves, pots, and other tools and engines, for planting and pressing the canes, boiling-up, separating, cleansing, and purifying the juice and sugar, as well as for drawing spirits of admirable use from the molasses, that we at present exceed all the nations in the world, in the true improvement of that noble juice of the cane, which, next to that of the vine, exceeds all the liquors in the world. And, as our nation has been ever famous for meliorating inventions of all kinds, so in this we have gone so far, that, notwithstanding the many discouragements, those planters do at present and have heretofore lain under, yet they apparently set the price of it in all Europe, to the kingdom's pleasure, glory, and grandure; which are all more advanced by that, than by any other commodity we deal in or produce, wool not excepted; as I doubt not but to demonstrate beyond all dispute, before I end these papers; which that I may the better do as well as shew clearly the mighty interest the nation has in preserving our West-India colonies, I will give the reader a clear and short account of a sugar, a cotton, a ginger, and indico plantation, as they are now managed in Barbadoes; and then set down a short scheme of the raising and producing tobacco, which though in itself, perhaps, not absolutely, if at all necessary to well-living, yet, having

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prevailed so far upon the vitiated humours of men, as we see it has, is of great concern to us, as well for bringing in wealth as employing multitudes of men in manufacture and navigation, which no man can dispute but to be a true national interest.

One-hundred acres of land, employed in a sugar plantation, will require fifty black slaves and seven white servants to manage it.

There must be six horses and eight oxen for two teams.

There must be an overseer at twenty pounds per an. a doctor and farrier at twenty pounds per an. and a carter at twelve pounds per an.

Twenty of the hundred acres must be set apart for pasture, provisions, and a nursery for canes to plant with.

Forty of the remaining acres return a crop one year, and forty the next, and so alternatively, being constantly now to be replanted after every cutting, whereas, when the ground was first broke up, the same canes would yield two, three, or more cuttings, before they were replanted, to the wonderful ease and advantage of the first planters.

There must be a wind-mill which turns great iron rollers, between which the cane is pressed.

There must be a boiling-house, and in it boilers, coolers, receivers and cisterns, to which belong ladles, scummers, lamps, &c.

A still-house with cisterns, stills, worms, worm-tubs, &c.

A curing-house, with earthen sugar-pots, drips, and cisterns for molosses.

A drying-house with necessities.

A house for the necessary fuel, employed in boiling and stilling.

A house for knocking out, packing, and storing of sugar.

A dwelling-house, with houses for servants and negroes.

A house for cattle, besides carts, hooks, houghs, and other planting utensils, the first cost whereof will with the utmost husbandry mount to five-thousand six-hundred and twenty-five pounds, the wear and tear whereof will not be less annually than sixty pounds.

A plantation of a hundred acres well stocked and provided as aforesaid, and managed to its full height, without those accidental casualties which often happen, may probably produce annually eighty hogsheads of sugar of a thousand pounds weight each hogshead, that is two-thousand pounds weight of Muscovado sugar, from each acre, and of molosses, twenty hogsheads, of seven-hundred pounds weight each hogshead.

This sugar in the island may be valued at ten shillings per hundred, as it may be at home at twenty shillings, that being, as the price has gone since the additional duty was laid, the medium of what Muscovado sugars have yielded; all which with the prime cost as well as the molosses, rum, &c. shall be brought to a rational and equal balance, after a little more has been said of the manner of planting, making, and refining sugars.

The first thing done to that ground designed for planting, is with houghs by the labour of negroes to open and loosen the surface of the earth, to prepare it for the plants.

There are commonly two seasons, rainy and dry ; the rainy begins in May or June, and ends in December or January, all which is spent in houghing, dunging, and planting the canes.

The dry season is spent in cutting the canes, grinding them at the mills, boiling up the liquor and making thereof Muscovado sugar ; all which must of necessity go hand in hand together, for the cane must be pressed as it is cut, or the juice dries in it ; the juice must be boiled up to its proper consistency for graining as soon as pressed, or it will soure and perish ; the grain must be separated speedily, whilst hot, for the molosses, or they will cling together, ferment and grow soure in time again, or be at best but fit for the still.

But as for refining and stilling, that any season is fit for.

Thus it is to be observed, that the blacks are always employed either in houghing, dunging, and planting in the wet, or in cutting, carrying, grinding, boiling, &c. in the dry seasons.

There are divers ways of producing new plants, as, by cutting the root of an old plant, by laying a cane in the ground, by planting the top of a cane cut off, or by taking a shoot from a knot of a cane, many of which will have five or six, that, put in the ground, will grow ; but the general way is, from those that have been set in the nurseries ; for, from one root, there will proceed divers shoots, all fit for planting, as nine or ten, and sometimes twenty.

The ground being prepared, holes are made therein, and in every hole dung put, and then a plant, which, in eighteen months, or thereabouts, becomes fit for cutting ; so that, half a year being spent in gradually planting forty acres, six or seven acres a month will be ready successively to be cut in the proper season : So that eighty acres is the just employment for the continual labour of fifty blacks, and seven whites, in the field, and for three others for overseeing, carting, and curing the plantations.

When the canes are pressed, by passing through the rollers of a wind-mill, there runs from thence a great quantity of pleasant juice, which being put into boilers, by the heat of the fire, having evaporated the flegm or watery matter to such a time as it becomes of a proper consistency, then they throw it into a mixture, consisting of some material fit to cleanse it, and prepare it for graining ; all the time it is boiling, with large copper scummers, they take off the scum, which constantly rises in great quantities, until it be fit to empty into coolers, from whence it is again shifted into earthen pots, with holes in their bottoms, and pots, they call drips, under them, for receiving the moisture called molosses ; which, in about a month's time, will be separated from that which is then called muscovado sugar, being of a pale, yellow colour ; this is then knocked out of the pots, and put into casks for transportation.

This sort of molosses is either boiled up again, to extract from it a sort of a duskish, pale, grey sugar, called panneels, or sent in cask for England, as the sugar is.

The scum that arises, with all the washings of the boilers, coolers, pots, and other instruments employed in that business, is preserved in great cisterns, where it will ferment, and becomes fit for stilling.

The spirits proceeding from molasses, and this effect of good husbandry, is called rum, being a noble intoxicating liquor, which the negroes, as well as English servants, but too much delight in; and the planters themselves prefer some sorts of it to any brandy, either for punch, or other uses, where spirits are needed.

And, with truth, this may be said of the sugar-cane, that it produces nothing but what is of great use to well-living; the virtues of molasses, formerly sold only in apothecaries shops, by the name of treacle, being now so well known, both to the distiller and brewer, that a great part of their estates are owing to it. Nor can it be imagined, how many new ways are found daily for venting and consuming usefully the various products of a sugar plantation. The several shapes, it appears in at christenings, banquets, and rich men's tables, being but the least of its good qualities, though of great delight, as well as ornament; and should the art of making it be so discouraged, as to take its next flight to the Dutch, or French, as it did from Portugal to us, the loss would prove of the like consequence, which is no less than the decay of the greatest part of their shipping, and the fall of half their revenues; they being forced to abate ten *per cent.* duty lately, to get some to be exported, and that with little or no success.

And yet, inevitably will this mischief happen, if great care be not taken to preserve those colonies.

But, to return to the further history of a plantation, and making and improving sugars, it is to be remembered, that, to compleat a sugar-work of an hundred acres, the necessary charges, as aforesaid, will be—In fifty blacks, one-thousand two-hundred and fifty pounds.

Seven white servants, besides three artists, which are paid wages, one-hundred and fifty pounds.

Five horses, one-hundred and twenty-five pounds.

Eight bullocks, one-hundred pounds.

Land, houses, mills, vessels, &c. All other tools and implements, four-thousand pounds.

In all, five-thousand six-hundred and twenty-five pounds.

Which plantation ordinarily may produce, as aforesaid, annually, in muscovado sugars, eighty hogsheads; in molasses twenty-eight hogsheads; both which, in the West-Indies, at the medium of the price now current, will yield five-hundred and forty pounds: So that ten white servants, employed as aforesaid, earn five-hundred and forty pounds, which is fifty-four pounds a head.

The English clothes and provisions such ten whites and fifty blacks consume, is, one with another, forty shillings a head, and amounts to an hundred and twenty pounds.

The wear and tear of the tools, and necessary supplies of a plantation from England, is at least sixty pounds.

In all, an hundred and eighty pounds.

So that, considering the ten white people in a plantation are the sole cause of that consumption, it is eighteen pounds each, which as I said before, is a far greater consumption on the native commodities and manufactures of the nation, than labourers at home make. It ought to be considered too, that, in this balance, I have not computed

the first cost of the materials that set all these useful labourers at work, nor the profit has arisen to navigation, nor the merchant-adventurer, in sending thither near a million of slaves, whose first cost, to the planter, has been eight millions of pounds, at least, and took off our manufacture to buy them in Guinea, about forty shillings per head, which amounts to two millions; not to speak in this place neither of the rich clothes, household-stuff, and other necessaries, the masters of these numerous servants consume upon themselves, which, without an exact account or scrutiny into every particular, must satisfy the most prejudiced person, that the people there, both for addition of wealth, and consumption of commodities, are better employed than those which remain at home.

But to add to a plantation, as aforesaid, the advantage arising by the refining sugar, there must be laid out in the refining-house, coppers, and all other necessary materials, at least three-hundred pounds. There must be ten blacks, and no whites, if the boilers can refine, which is easy to learn.

The manner thus: They take their muscovado sugars, and put it into refining-coppers mixed with lime-water, where, as it boils over a gentle fire, much scum will arise, which is taken off constantly, till it becomes a sufficient consistency, for mixing it with the whites of eggs well beaten up; which being done, in order to clarify it, it is then boiled to a proper height, for refined sugar, and turned off into coolers, and thence put into such pots with their drips, as was said of muscovadoes. When these pots have stood dripping eight or ten days, then clay, properly tempered, is put upon the pots, which is renewed as occasion requires; this forces down the molasses, so that in seven or eight weeks these sugars so improved will be fit for casking.

The molasses, thus issuing from refined sugar, is boiled up again, and, operated as before, produces a sugar called bastard whites, the last molasses being only fit for the still.

*Note,* That little or nothing of the quantity is wasted in the refining, but remains in the sugar molasses or liquor, from which spirit is produced.

But let it be observed too, that by the additional stock of ten blacks, which cost two-hundred pounds; house and necessaries three-hundred pounds; necessary provisions for ten blacks twenty pounds; wear and tear thirty pounds; interest for the first cost at ten pounds per cent. fifty pounds: in all an hundred pounds per ann. a plantation is near doubled; so that it is plainly the interest of the nation, that all sugars should be meliorated before exportation; the profit whereof would be above fifty per cent. annually to the nation, more than now it is, and is all gained by the Hollanders and Hamburgers, who refine our muscovado sugar in their countries cheaper by the draw-back upon muscovadoes than we can; so that they undersell us in all foreign markets in our own commodity, most of the sugar spent in Germany, France, and other nations being refined; the profit of which meliorating as well as the navigation being lost to the kingdom: And it is as reasonable to suffer wool to go out unmanufactured as muscovado sugar. But more of this when I come to propose the



method for preserving those colonies, and this shall likewise suffice to explain the nature and produce of a sugar plantation.

Thus it appears by all that has been spoken, of a sugar plantation, that the first cost, besides the labour, skill, care, and industry, amounts to five-thousand, six-hundred, twenty-five pounds; and that the produce thereof, at the present usual price current of sugar amounts not to five-hundred and forty pounds: out of which deduct the constant charge, one-hundred and fifty pounds per annum, the yearly value is three-hundred and ninety pounds, which is not 7 per cent. for his money, and yet this neither is not certain to arise. The making of sugars, and fitting them for market, being subject to many contingencies more than are set down in the history before-going; for the plants in the ground are very often subject to be devoured, wounded, and torn by ants, or undermined and destroyed at the roots by mugworms. Too much rain, or too much drought, in either season, is a certain diminution of the crop, if not a total destruction of the plants; nay, if the rains come too late, which often happens, a whole year's planting is lost. When all these mischiefs are escaped, and the canes of a considerable heighth, then are they liable to be twisted, broke, and totally spoiled by the furious hurricanes, that once in three or four years, like a fit of an ague, shake the whole islands, not only do the crops an injury, but sometimes tumble down and level their mills, work-houses, and strongest buildings; but, escaping all these, as the canes ripen, they grow more and more combustible, and are thereby subject to the malice and drunken rages of angry and desperate run-away negroes, as well as so many other accidents of fire; the fury whereof, when once got into a field of canes, is extremely quick, terrible, and scarcely to be resisted before it has destroyed the whole parcel; but when they are brought to full perfection for cutting, and the planter's expectation as ripe as they, if unseasonable rains happen, or that no winds blow, then do they all rot and perish in the ground. The slaves and servants all stand idle, looking upon their master's decaying fortune, and at last are only employed in clearing the ground again from that useless rubbish, in which all that year's hope is perished. Not to mention after all these mischiefs, under which most planters have many times smarted, all those accidents, or storms, and pirates in bringing their commodity to market, nor, which is worst of all, their loss by breaking customers, who not only run away with all their produce, but with the freight, factoridge, and customs, which have been paid for those sugars they were trusted with, thereby subjecting the industrious planter to new and unforeseen debts and interest for them, from whence he expected the reward of all his labour. Nay, besides all has been said, sometimes diseases amongst slaves and cattle will in a very short time sweep away a whole year's profit, besides the constant charge of recruiting the natural decay of all living creatures.

Cotton is a commodity of great value, and the planting of it of mighty advantage to the common-wealth, because we have it thereby one third price less than formerly, when we imported it from foreign

parts. Its uses are too many to be enumerated in the short method I have proposed; let it suffice therefore to say, that the spinning, weaving, and working it into fustians, dimities, and many other useful stuffs, besides what is spent in candles, employs a multitude of hands, and gains the nation annually.

The manner of planting it is thus: A hundred acres of land cleared, and kept for a cotton-plantation, require fifty hands, whereof five must be white men-servants, for the benefit of the militia, otherwise all but two might be black slaves.

It is planted in rows as our London gardeners set their damask roses, to make money of them, and rises to much about the same height in one year; and some few months time after its seeds are put into the ground, which is to be done in the wet season, when sugar canes are planting; but sometimes it begins sooner, or later, according to the judgment of the experienced overseer. But the same hands, employed in sugar, can never be employed in planting and gathering cotton, for, when it is ripe, and the little bags it is contained in are opening, it is a constant labour and attendance from morning to night for the servants to go to and again in the intervals between the rows it is planted in, to take them at a critical time, otherwise it immediately damages.

There are two sorts of it called ravel or vine, that is yellow or white; the yellow is generally esteemed the largest staple.

An acre of ground planted therewith may produce from four-hundred to two-hundred pounds weight, according as it hits; so that a hundred acres, well looked after, may produce thirty-thousand pounds weight of cotton, which at six-pence a pound, as it may yield, amounts to one-hundred and fifty pounds.

Ginger is an useful spice, for many things, and in several cases so answers the end of pepper, that it is observed to rise and fall as that does.

It is planted by taking small pieces from the great races, and placing them orderly in trenches or holes, as our gardeners plant pease, and it is done in the same seasons that they plant sugar canes.

An acre of right ground, well planted, will produce two-thousand pounds weight of ginger, which, by its bulk in English tonnage, is accounted two tons at least.

A hundred acres require seventy-five hands, be they black or white servants; but there must, by the laws, always be a sufficient number of white men-servants, in proportion to the black slaves, otherwise all blacks would serve, which is much cheaper than the other.

I have not set down all the casualties cotton and ginger plantations are subject to, for fear of swelling my treatise beyond its designed bulk; therefore let it suffice to say, they are subject to many, tho' not the same casualties, both from the alteration of seasons and other matters, as sugars are.

Indico is more produced in Jamaica, than in any other colony, by reason of the great quantity of Savanna lands there, for it thrives best in light sandy ground, such as those Savanna's or great plains

be. The seed of it, from whence it is raised, is yellow, and round, something less than a fitch or tare; the ground being made light by houghing, trenches are made therein, like those our gardeners prepare for pease, in which the seed is put about March, which grows ripe in eight weeks time, and in fresh broken ground will spire up about three feet high, but in others not more than eighteen inches. The stalk is full of leaves of a deep green colour, and will, from its first sowing, yield nine crops in one year; when it is ripe, they cut it, and in proportionable fairs steep it twenty-four hours; then they clear it from the first water, and put it into proper cisterns, where it is carefully beaten, and then is permitted to settle about eighteen hours. In these cisterns are several taps which let the clear water run out, and the thick is put into linnen-bags of about three feet long, and half a foot wide, made commonly of Ozenbrig cloth, which being hanged up, all the liquid part drips away. When it will drip no longer, it is put into wooden boxes, about three feet long, and fourteen inches wide, and an inch and a half deep: These boxes they place in the sun till it grows too hot, and then take them in till the extreme heat is over, continuing thus to do till it is sufficiently dry. In land that proves proper for indico, the labour of one hand in a year's time may produce between eighty and an hundred pounds weight, which may amount from twelve to fifteen pounds per annum to the planter, if no accident happens: For indico, as well as all other commodities of those parts, is subject to many; those most common to it are blasting and worms, to which it is very subject.

Cocoa is now no longer a commodity to be regarded in our colonies, though at first it was the principal invitation to the peopling Jamaica. For those walks the Spaniards left behind them there, when we conquered it, produced such prodigious profit with little trouble, that Sir Thomas Muddiford and several others set up their rests to grow wealthy therein, and fell to planting much of it, which the Spanish slaves, who remained in the island, always foretold would never thrive, and so it happened; for, though it promised fair, and throve finely for five or six years, yet still, at that age, when so long hopes and care had been wasted about it, withered, and died away, by some unaccountable cause; though they impute it to a black worm, or grub, which they find clinging to its root. The manner of planting it is in order like our cherry gardens, which tree, when grown up, it much resembles. It delights in shade, so that, by every tree, they place one of plantain, which produces a fruit nourishing and wholesome for their negroes. They, by houghing and weeding, keep their cocoa walks clear from grass continually, and it begins to bear at three, four, or five years old, and, did it not almost constantly die before, would come to perfection in fifteen years growth, and last till thirty, thereby becoming the most profitable tree in the world, there having been above two hundred pounds sterling made in one year of an acre of it. But, the old trees planted by the Spaniards being gone by age, and few new thriving, as the Spanish negroes foretold, little or none now is pro-

duced worthy the care and pains in planting and expecting it. Those slaves give a superstitious reason for its not thriving, many religious rights being performed at its planting by the Spaniards, which their slaves were not permitted to see. But it is probable, that wary nation, as they removed the art of making cochineal, and curing vellones, into their inland provinces, which were the commodities of those islands in the Indians' time, and forbade the opening of any mines in them, for fear some maritime nation might thereby be invited to the conquering them, so they might likewise in their transplanting cocoa from the Caracus and Guatemala conceal wilfully some secret in its planting from their slaves, lest it might teach them to set up for themselves, by being able to produce a commodity of such excellent use for the support of man's life, with which alone and water, some persons have been necessitated to live ten weeks together, without finding the least diminution of either health or strength. But, though much more might be said, yet this shall suffice for the history of cocoa, with this addition only, that it grows on the trees in bags or cods of greenish, red, or yellow colours, every cod having in it three, four, or five kernels, about the bigness and shape of small chesnuts, which are separated from each other by a very pleasant refreshing white substance, about the consistence of the pulp of a roasted apple, moderately sharp and sweet, from which, when ripe, its nuts are separated, and, by drying, cured.

Pimento is another natural production of those islands, but principally in Jamaica, from whence many call it Jamaica pepper, from the place and figure of it. The trees that bear it are generally very tall and spreading, so that the trouble of climbing them, to gather it, would make it incredibly dear, and those, that be left generally growing in the island, mountains and woods, which are not taken up for planting, but remain in the king's hands. Their way is to go with their slaves into the woods, where it is plenty, and, cutting down the trees, pick it off from the branches, so that no Pimento comes into Europe twice from one tree: and, it happening often to miss for two or three years together, what it produces at present must be accounted an accidental benefit to the planters, rather than any thing to be relied on as a national advantage, or constant encouragement.

The like may be said of *lignum vitæ*, or *guaiacum*, of red wood, and several sorts of other trees, which come thence, for, the more comes, the less remains, and the time required for the growing of those hard woods, in the room of those cut down, is, in human reason, so many hundreds of years, that the proposing to plant them would be rather a proof of madness, than foresight; it being observable, that in those spreading woods, where never ax was handled for cutting them down, nor carriage came to remove them, nor fire to burn them, there cannot be found one dotard or perishing tree of any useful kind, if of any at all.

To make and manage a Virginia or Maryland plantation for tobacco, every hand employed therein must be furnished with an ax,

a saw, and other instruments for felling timber, and grubbing up its roots.

When the ground is cleared of trees, and rubbish, then it is broke up with houghs, and afterwards with those, and spades, brought into little hillocks, like those moles turn up, into every one of which is placed one plant, so that they grow about three, four, and five feet asunder.

The tobacco plants are raised from its seed sowed in nurseries of hot-beds, skilfully prepared for that purpose in the months of January, February, March, and April, and are drawn thence and planted in the prepared little hills in the months of May and June, and will be ready for cutting in July or August following. But, all the while from its planting, it is carefully to be watched, and every plant, that is perceived to be dying, must be taken away, and a fresh one set in the hill, from whence the dead or dying plant was removed.

Tobacco plants are very subject to be undermined, eaten, and destroyed, by a grub or worm that breeds about its root, which sometimes, in spite of all the care and skill of the most ingenious planter, will destroy its whole crop, nor do they escape some mischief from it; so that a tobacco plantation from January, that they sow the seed, till August, that they cut it, is a continual care and field labour, in sowing, planting, houghing, weeding, worming, succouring, and renewing; it has several accidents attending it, till it be cut and carried into the curing-house, where it is hanged plant by plant at an equal distance till it become powder-dry; at which time of the year that country is subject to great fogs and mists, which makes it become waxy, and, if it rises again, then it is fully cured, and becomes fit to be casked. All sweet-scented requires about three weeks time, and Oroonoko about six weeks time; and, in about three weeks more after its casking, it shews itself whether it be well cured or no: For, tho' the experienced planter knows certainly whether his tobacco be well or ill cured, the purchaser cannot, and may be wronged, if he buys it in less than three weeks time after its casking; for, if it had not been perfectly dried, it will certainly rot, perish, and become good for nothing: So that not only the prime cost, but the freight home may be lost. And this the necessities of the planter sometimes only occasion, for, by making too much haste not to lose his market, many times the whole year's labour and expectation is totally lost; and the care therein is very great, for there is not a leaf of tobacco put on board the ship that is well cured, but has passed at least six and thirty times through the hand of the planter or labourer. They ship it out from the month of October till April following; the annual exportation, from all the tobacco colonies, being an hundred and forty thousand hogsheads, at four hundred and fifty pounds weight to a hogshead.

The plantations are generally made into small parcels, not above eight or ten hands at a place, being the most beneficial and true way, both for making the tobacco, and raising provisions for them, and the

curing-house must not be at a distance from the grounds where the tobacco grows.

The price of every pound weight of tobacco, imported into the nation before we planted it, was from about four shillings to sixteen shillings a pound, and now the best Virginia is not above seven-pence to the merchant, of which the king has five-pence.

Two thirds of the tobacco brought from those colonies is exported to foreign markets, which at about three pounds the hogshead (which is the least the nation gets by it) amounts to above two hundred thousand pounds, besides the great quantity of shipping it employs.

It is not so little as a million the kingdom saves yearly by our planting tobacco; so that, reckoning the white people in our tobacco colonies to be a hundred thousand men, women, and children, they, one with another, are each of them twelve pounds a year profit to the nation.

There are, in those colonies, by a probable computation, about six hundred thousand Negroes and Indians, men, women, and children, and would be more, could they readily get Negroes from Guinea; every one of which consumes yearly two hilling-houghs, two weeding-houghs, two grubbing-houghs, besides axes, saws, wimbles, nails, and other iron-tools and materials, consumed in building and other uses, to the value of, at least, a hundred and twenty thousand pounds sterling, in only iron-work.

The cloaths, guns, cordage, anchors, sails, and materials for shipping, besides beds, and other household-goods consumed and used by them, are infinite; nor is the benefit of them to the kingdom sufficiently to be explained. Therefore, let it suffice, in one word, to say, that the produce and consumption, with the shipping they give employment to, is of an infinite deal more benefit to the wealth, honour, and strength of the nation, than four times the same number of hands the best employed at home can be.

And thus much more I shall say for the colonies. As they are, to the nation, the most useful and profitable hands employed, and the best trade we have, both to the consuming the woollen-manufactory of England, and the encouraging of navigation; so those, that go thither as servants, if they are industrious, and just to their masters, they live much easier than in England, and much more likely to get estates; of which there are many precedents; and also they have been a great relief to many men (whose misfortunes have forced them to leave their own country) who, by their carrying thither the remains of their shipwrecked fortunes, have recovered their lost estate, and very much conduced to that increase of wealth to this nation, as well as to the increase of shipping, which are the only true bulwarks of this nation.

That the courteous reader may readily see the benefit to England, the hands employed in the colonies are, I have here made, in the picture of a table, what fifty negroes, with some few white hands

(which are rather for security than otherwise) can make; what tonnage; what value it produces in England; what custom it pays to his majesty. It is to be understood, that all they produce is clear gains to England (except some linnen, wines, and brandy, which are brought from foreign markets :) The rest is either freight, custom, charges of merchandise, apparel, and necessaries for the plantations, or in cash, which either serves to support the planters, when in England, or is laid out in purchasing lands; besides this, the employing of such a vast number of shipping and seamen, the benefit of which is well known to every Englishman. And, since the plantations have been brought to this perfection, the consumption of England saves at least two thirds, by the abatement of the price those commodities bore before they made them; for which they never draw from England gold, or silver; but, on the contrary, by exportation of what is there made, over and above, our consumption does either occasion the enriching of England, by monies brought from foreign parts for the sales of their goods, or by bartering for other goods, which must have been purchased by monies, or we must have been without them. By the hands employed in those colonies, foreign commodities became native, to the great enriching of England, as aforesaid, and to the lessening the riches and strength of all other European nations, that produce the like commodities.





## CHAP. III.

FROM what has been said of the nature and manner of managing plantations, is demonstrated, beyond all scruple, that those hands, employed in our colonies are, for their number, the most profitable subjects of these dominions, as well to the ends of consumption and delight, as for increasing the wealth, power, and glory of the nation.

These apparent truths being once known to, and generally allowed of by our nobility and gentry, it is senseless to imagine there could be one man amongst all our legislators, that should be so malicious to the kingdom, as to desire, or endeavour, the discouragement, much less ruin of such useful subjects, as the planters are. But, for want of experience in, or intelligence of their manner of living, and employing themselves in plantations, the best-meaning and most upright patriots and lovers of their country, by wrong application of that right maxim, 'People are the riches of a nation,' may be most apt to study restraints, impositions, and severities on their trade and negotiation, to their present discouragement and future ruin. Which, having, in some degree, happened already, is the only cause I have used my endeavours for clearing those general mistakes, and for laying down some few useful rules for the support and encouragement of them all, but especially the sugar-plantations, in whose happiness, I, being most at present concerned, think myself most obliged to be serviceable to my power, as well as to clear my reputation ; which, amongst other well-meaning gentlemen, is reflected on, for designing a common factory for keeping up the price of their product, and a joint stock of monies to supply, at common interest, every industrious planter's wants, till his goods could be sold ; which, when rightly understood, must force forgiveness, if not applause, from the most partial opposer of the design.

The better to clear which points, it is necessary to obviate, that the discouragements, the sugar-plantations lie under, have, for three years last past, furnished matter of complaint to all persons concerned in that commodity, as well planter as merchant, as it is evident by the solemn addresses, which were made to the court on that subject since the passing the act which lays an additional duty upon sugar.

The decay of those colonies being granted by all parties concerned in that advantageous negotiation, it will be necessary to be certain of the cause, before proper remedies can be found out, much less applied to that increasing distemper.

For, though, in gross, it may be concluded, that the additional duty occasioned the mischief, yet those, who contrived that revenue for the crown, did not intend the burden thereof should have fallen on the planter or merchant, but on the consumptioner ; which then had not been the least inconvenience or discouragement, either to planting or trade, and, consequently, a more equal and less mischievous tax could not have been laid upon the nation.

But the price of sugar before the act, compared with that since, and the general fall of plantations, demonstrates, beyond contradiction or dispute, that the whole burden falls on the most industrious, most

useful, and best employed people, for their numbers, that can be found in all his majesty's dominions, which are those of the sugar-colonies; besides the inequality of the thing, that sixty-thousand industrious people, which, the parliament intended, should pay nothing, are, by accident, made to bear an imposition designed to be laid on the voluntary consumption of eight millions.

That the matter of fact is this, it cannot be denied by the most partial and interested, against what has been proposed for the common factory; though the natural aversion, most men have to new invention, joined with the private interest of some few men who are factors at home, laziness of thought in some, and weakness of understanding in others, will, I am sensible, make it difficult, if not impossible, to establish the most compendious and proper remedy for that lingering distemper.

But this I dare boldly affirm, that what was then prescribed carried along with itself evident proofs of its innocency and well-meaning; since nothing therein could possibly take effect, until every sugar colony in America had, in their general assemblies, considered and approved every part of it.

For, without the sanction and laws of every several and individual colony, by their acts of assembly, the whole and every part of the proposal was utterly inconsistent and unpracticable, as those, who will give themselves leave to examine it, will undeniably find.

So that, if it may be supposed, that the colonies themselves are proper judges of what they suffer, want, and would have, it cannot be denied, but that their minds must best appear in general assemblies.

From whence it consequently follows, that, though the proposition might not be practicable, by reason of the many different interests it was to unite, yet that the proposers were innocent, and sacrificed their labour, expences, and time, with a laudable intention.

To leave, therefore, that matter in the state it is, I will proceed to obviate the true and genuine causes of the present discouragements those colonies lie under; which may be reduced to three general heads.

1. That, which is necessary to the beginning, increase, and support of a plantation, comes to them much dearer than it might.

2. That what they produce by planting is forced to be sold at market much cheaper than can be afforded, to the nation's loss, as well as theirs.

3. That what they produce is carried to foreign markets at a much greater charge, than they might carry it for.

To make it evident, that what they want to begin, increase, and support a plantation, comes to them much dearer than it might, I must desire the reader to consider, from what has been said concerning a sugar-plantation, that the main support of that, as well as all other wealth, is labourers: That these labourers, in plantations, are either white servants, or black slaves: That the white servants are either such as are hired for wages, or assigned for a term of years. Now, if it appears, that, in the present method, all these several sorts of labourers come to the planter one third dearer than they need, then it must follow, that there is a burden on that

employment, as heavy, as if above thirty per cent. were laid, by way of tax; upon their whole industry.

That the case of most planters is this, as well in white servants as slaves, and also in most of the tools, and necessities, for managing a plantation, is too much felt, to be doubted by all that are concerned in that trade, or are experienced in planting. But, to make it clear to others, I must beg them to consider, that few men leave their native country willingly, who have enough conveniently to support themselves in it, except carried away by ambition, or immoderate avarice, two passions little known, or practised in America.

That therefore those who generally go thither comply with some urgent pressure in their fortunes or circumstances at home; so that, let them carry with them as good understandings or strong genius's and inclinations to planting, as is possible, yet they must not hope to reap, unless they sow; and wheat, or any other sort of grain, is not a more necessary seed for its own species, than wealth is seed to wealth. The Spaniards have a proverb to that purpose, which says, 'He, that will bring the Indies home, must carry the Indies thither.' It will not be unnecessary to explain the general causes of their first thriving, that the unexperienced reader may have a just idea of the conveniences, and inconveniences, have attended those places, by the many changes have happened in the government, and laws, of this kingdom, since the beginning of the late civil wars.

To do which, we will make a short reflexion on the unaccountable negligence, or rather stupidity of this nation, during the reigns of Henry the Seventh, Henry the Eighth, Edward the Sixth, and Queen Mary, who could contentedly sit still and see the Spaniards rifle, plunder, and bring home, undisturbed, all the wealth of that golden world; and to suffer them with forts and castles to shut up the doors and entrances into all the rich provinces of America, having not the least title, or pretence of right, beyond any other nation, except that of being, by accident, the first discoverers of some parts of it, where the unprecedented cruelties, exorbitances, and barbarities, their own histories witness, they practised on a poor, naked, and innocent people, which inhabited the islands, as well as upon those truly civilised and mighty empires of Peru and Mexico, called to all mankind for succour and relief against their outrageous avarice and horrid massacres. Therefore, for a nation, situated like ours for trade and navigation, being, by the kingdom of Ireland, the nearest eastern neighbour to that western world, to sit still, and look upon all this, without either envy, or pity, must, I say, remain a lasting mark of the insensibility of those times, and the little knowledge our forefathers had of the true interest of mankind in general, or of their own country in particular.

Nor did we awake from this lethargy, and wonderful dosing, by any prudent foresight, or formed counsel and design, but slept on, until the ambitious Spaniard, by that inexhaustible spring of treasure, had corrupted most of the courts and senates of Europe, and had set on fire, by civil broils and discords, all our neighbour nations, or had subdued them to his yoke, contriving too, to make us wear his chains,

and bear a share in the triumph of universal monarchy, not only projected, but near accomplished, when Queen Elisabeth came to the crown, as all historians of those times do plainly make appear. And to the divided interests of Philip the Second, and Queen Elisabeth, in personal more than national concerns, we do owe that start of her's, in letting loose upon him, and encouraging those daring adventurers, Drake, Hawkins, Rawleigh, the Lord Clifford, and many other braves that age produced; who, by their privateering and bold undertaking, like those the Buccaneers practise, now opened the way to our discoveries, and succeeding settlements in America; which, since, as it were by chance, occasioned only by the necessities of many, wrought upon by the example, wisdom, and success of some few particulars, without any formed design, help, or assistance from our state-councils, or legislators, in less than one century, hath throve so well, that they are become the example, and envy, and might be the terror of all our neighbour maritime nations; and do undoubtedly maintain above half that vast quantity of shipping we employ in foreign trade; so that it can be from no other cause, but want of information, that many of our laws, as well as court-maxims and practices, run opposite to their encouragement, protection, and increase.

The beginning of our American settlements was made in the latter end of Queen Elisabeth's reign, by the encouragement of Sir Walter Rawleigh, who undertook the planting of Virginia, and first brought the use of tobacco into England; but that, nor any other colony of ours in the West-Indies, did promise much success, either to the nation, or undertakers, until the reign of King James the First, whose peace with the crown of Spain restrained those bold privateers, who before, by harrassing the Spanish colonies, and mastering their rich ships of plate, had become very wealthy, as well as numerous. But, much against the will of most of them, but principally of such who had not sufficiently made their fortunes, this peace obliged them to change the prospect of their future conduct from rapine and spoil to trade and planting; so that, in a very short time, a considerable settlement was made in the northern parts of America, to the great increase of good shipping in the kingdom. By this means a general notion of having enough profitable lands in those parts of the world, for nothing, so infected the whole kingdom, that not only the necessitous and loose part of the nation flocked thither, but many non-conformists did solicit his majesty for leave to make a settlement together under privileges and liberties, both in civil and church matters, by a constitution of their own. This combination King James prudently consented to, and confirmed by his letters patent, wisely foreseeing, that, tho' a species of a common-wealth was thereby introduced into his dominions, yet the dependence thereof must be upon the crown for protection, and consequently that part of his subjects, then called Puritans, would not be totally lost to the nation, as they must be, if driven for ever to remain in foreign countries. Thus began that numerous colony in New-England, where, under frugal laws, customs, and constitutions, they live, without applying themselves to planting any tobacco, or other American com-

modities, except for their own private use. But by tillage, pasture, fishing, manufactures, and trade, they, to all intents and purposes, imitate Old England, and did formerly much, and in some degree do now, supply the other colonies with provisions in exchange for their commodities, as, tobacco, sugar, &c. which they carried to foreign markets, how conveniently for the nation's interest I shall not determine, being no enemy to any kind of honest industry. But this cannot chuse but be allowed, that, if any hands in the Indies be wrong employed for domestick interest, it must be theirs, and those other colonies, which settle with no other prospect than the like way of living. Therefore, if any, such only should be neglected, and discouraged, who pursue a method that rivals our native kingdom, and threatens, in time, a total independency thereupon.

But, as this cannot be said of our tobacco colonies, much less is it to be feared from our sugar plantations, except, by gross mistakes at home, we at last force them to part with their black slaves to the Spaniards, and betake themselves to the sole planting of provisions, and living upon their estates; which, should it happen, would be the greatest blow to our navigation, and consequently to the rents, that the kingdom ever received, since it was a trading nation.

This digression, I hope, may be pardoned, since it explains a little the difference of our national interest in the several sorts of American colonies.

Nor would I be supposed to be so ignorant, to think, that no kind of colonies can empty, and consequently ruin, the nation: No; there is a natural boundary to all worldly matters; and it becomes the wisdom of legislators truly to distinguish the depending and profitable, from the detached and undermining colonies, and rightly apply lenitives and corrosives accordingly.

To return therefore to those within the tropicks, which are principally supported by making sugar. The beginning of their settlement was without the least prospect of succeeding in that commodity, the art of making which, as I said before, being, by mere accident, gained in Barbadoes by a Hollander, something more than half a century since: And, as it was the happiness of those islands to learn it from a Dutchman, so the first and main supporters of them in their progress, to that perfection they are arrived to, exceeding all the nations in the world, is principally owing to that nation, who, being eternal prolers about, and searchers for moderate gains by trade, did give credit to those islanders, as well as they did the Portuguese in Brasil, for black slaves, and all other necessities for planting, taking, as their crops throve, the sugar they made. Thus with light, but sure, gains to themselves, they nourished the industrious, and consequently improving planters, both before, and during, the civil wars in these islands; the fame of whose good fortune being spread at home, many ingenious gentlemen, who had unfortunately followed the royal interest, conveyed the remains of

their shipwrecked fortunes thither; amongst which Colonel Henry Walldrond's father, with himself, and others his relations of that family, were not inconsiderable, either for quality, industry, or parts; so that, by them, and many undone cavaliers who followed their example, new improvements and experiments were daily added to the art of planting, making, and refining sugar, which were taken from them by the Dutch, till Sir George Askew, with a squadron of ships, removed the Lord Willoughby of Parham from governing there, for his exiled majesty Charles the Second, and reduced the island to the States obedience: Soon after which the Dutch war happening, all further trade with that nation ceased, by whose help, they being then strong enough to subsist of themselves, their future dealing returned to its proper center, which was trading with their native country; since which time that island, which contains but

acres, and not more than five and twenty thousand white inhabitants, has produced, in commodities, above thirty millions sterling, and paid in duties to support the government, at a modest computation, above three fourths of a million, which will seem incredible to those that have not employed thoughts on it.

I have rather mentioned Colonel Walldrond for one instance of such as our civil war drove abroad, because, in his particular case and sufferings, great inferences may be made for explaining the many inconveniences those colonies are now subject to, as well as because he has been one who did endeavour to obviate the mischief, attended the act for additional duty upon sugar, and was most zealous in his applications at court for relief to his fellow planters, even whilst he struggled under such severe oppressions of power as might have reduced to despair the greatest courage. And to him, and his continual endeavours for their benefit, all the planters in the Indies owe their thanks at least; for he not only made the court sensible of the great mistake they lay under, both by the laying and unjust manner of collecting that additional duty, which, at least, will prove a caution to future councils, for their conduct in a like case, but was at great labour and charge, in conjunction with myself, and other gentlemen, intelligent persons in that affair, to invent, if possible, a proper remedy for their languishing condition; which can never be but by some such way, as may furnish them with sufficient money, and credit, on their industry and commodities, as may enable them to buy their necessaries at reasonable rates, and sell their produce at a saving price, neither of which it is possible for them to do at present.

For tho', to do right to the African company, they have been wonderfully kind in the credit they have given the plantations, and that, rightly managed, a company is able to supply them with negroes cheaper than a loose trade could; yet, the complaints the company continually make of the colonies bad pay, and the complaints of the colonies for being ill supplied with negroes, allowing both true, it will be necessary to enquire into the real cause of both inconveniences before proper remedies can be proposed.

To state the case truly, it is to be considered, that when the company was first erected, with exclusion to all others for trading in Guiney, the consequence thereof was never foreseen by the planters; for, if it had, they could not have failed complaining against its establishment upon the foundation of such privileges they now pretend to; nor could any invention in the world have appeared a more pernicious monopoly, than that would have been judged to be upon a free examination, before custom and necessity had reduced the colonies to a servile dependence thereupon.

For, let it be granted there was a kind of a prudent necessity in the government here, to unite a company for securing the gold and teeth trade in Guiney, and that it was in the power of the crown to prohibit all others, but such company, to trade within the limits assigned them by their charter; yet this did not at all reach the plantations at first, nor did seem to prohibit them from buying slaves at the best market, as since it has been interpreted. For, with submission to better judgments, the consequence of that interpretation seems to me to be an inlet to all manner of monopolies.

For why should not the crown, by the same rule, make a company, who should have only power to trade thither in iron-ware, and another for wine, the like for mum, or any other commodity they want, as to prohibit bringing thither slaves but for the company's account: for the case, to all intents and purposes, is the same; for it is beyond all dispute known, that the colonies, under a free, open, and loose trade for negroes, did flourish and increase before the company was erected.

It is certain, that they could still be supplied plentifully at two thirds the price the company makes them pay.

It is as undeniable, that the company doth not supply them with the full numbers they want, and could have, did not the company shut all doors to their supply.

And it cannot be denied, but in these few heads are included all the several inconveniencies so complained of in a monopoly.

I. For hereby a loose trade is turned into a restrained, which lessens the numbers of shipping that would trade to Guiney.

II. That comes dear to the subject, that might be cheap.

III. And a useful commodity to the increase of wealth is not to be had in a sufficient quantity.

It is alledged, that some part of the trade of Guiney, considering who are our rivals in it, cannot be preserved without force, and that the castle must be maintained, or that part of the trade lost, and that the castle, &c. cannot be supported but with great cost, and that charge falls extremely heavy upon so small a stock, as that of the African company.

The consequence of which premisses is, they will always be necessitated to keep up the price of negroes one third more than otherwise we need, (tho' the castles are not supported, or little or no ways useful to the negroe-trade, they keeping no forts, and seldom factors, at those places where the negroes are most bought at.)

I confess, a strong argument for the company, but a sower one for the colonies, which seem hereby deprived of their birth-right, the liberty of the subject, and their possession, which consisted in a loose trade.

The premisses considered, the planters may therefore justly desire that the national interest in the Guinea-trade, the forts, &c. may be equally supported by all the nation, as our navy's necessary forts and garisons at home are, and not fall solely on their labour and industry: For the necessary supply of negroes to the colonies annually should not be less than twenty-thousand pounds.

Therefore upon a fair representation of the charge of the castle, &c. it cannot be questioned but the parliament will provide for their support, if it appear a national interest, to preserve the colonies, and that trade, as no doubt it is.

But, as I hinted before, another cause of their selling dear is the bad pay they complain of in the colonies, and it may not be without cause that the company complain: Not that the colonies give occasion for it, as matters now stand.

For, the country not being able to get negroes, but at one third too dear, and negroes being the main prop of a plantation, it necessarily follows, the planter must be necessitous, and thereby forced to sell his produce cheap, not being able, through poverty, to keep his commodity by him, until it will yield a saving price.

Thus the true cause of his selling cheap is his buying dear, and both together keep the industrious planter, who is not got beforehand in his affairs, always indigent, and in debt to the company. This debt being, as they alledge, near three-hundred thousand pounds, keep the company's stock, which at first was not more than a hundred and ten thousand, always out of their hands; the interest of which, with the charge of the castle, falling upon so narrow a stock as four-hundred thousand pounds. This, rising at last upon the plantations, makes their burden grievous at present, and must, at last, prove insupportable, as the debt increases; for that, and their necessities, will keep pace together, except some speedy remedy be found for them both.

All this taken a-part, and duly considered, it will appear probable to all thinking men, that the plantations must speedily be ruined, and the commodities, so profitable to the nation, fluctuate into the hands of some neighbour colonies, who do not struggle under the like inconveniencies; for which time the French, Dutch, and Danes, and many other nations are at watch, and do at present increase, proportionably to our discouragements. In this dismal prospect we must let them stand, until we come to consider of proper remedies for these and the following inconveniencies.

Another inconveniency, attending them, proceeds from the wrong notion which has infected our judges, as well as the less intelligent gentry, that the people which go thither are a loss to the nation.

This, with some other more malicious, but as weak, suggestions, has occasioned severe and terrible sentences about exporting white servants on pretence of spiriting; so that many have been forced



to send for those who have been transported thither, to produce again before the judges to acknowledge their voluntary transportation.

This occasions new offices, new fees, and new methods for sending servants thither; all which increases their price in the Indies very considerably, and falls, as bad as a tax, on the industry of the planter; besides, makes servants so scarce, that an universal languishing of such plantations as are growing happens thereby; and that want of white servants, for a term of years, occasions the increase of wages to those they are forced to hire at great rates, to supply that defect. This increase of wages is not only a new burden upon the present planters, but lessens their numbers; many choosing rather to sell their industry and labour, to support themselves under others, than begin planting themselves under such visible incumbrances, as daily increase upon employment.

Thus one inconvenience begets another, to the ruin of the present and discouragement of future planting; which, before I have done, must more and more appear as national a concern as any our council can be busied about.

It is true, many of the first comers, especially in Barbadoes, are got above the danger of ruin, by these, and other following mischiefs, that daily must, if not prevented, increase upon all who are not in the like circumstance for wealth. And, peradventure, to such, the prospect of this general decay promises a good return and recompence, for all the inconveniencies they at present feel in the abatement of the value of their plantations.

For some of them may, perhaps, consider, that, as the debts of the colonies increase to the African company, the ruin of necessitous planters must follow; as they tumble, the quantity of sugar, produced, must diminish; and, as that happens, the price must rise; so that their own plantations, being sure to stand, must likewise improve at last, proportionably to the general and national loss besides: That they are sure, as plantations, negroes, and stock come to be seized for debt, they will be sold for less than their half value, and can be no men's money, but theirs who have it to spare. That this hath, and doth daily happen, and must, more and more, if no remedy be found out, is so certain, that none intelligent, among the American merchants and factors, but know many sad examples of that kind; so that, if the price should rise by abatement of quantity, though convenient for some overgrown planters, and wealthy merchants, it tends to nothing less than the decay of shipping, lessening the numbers of white people, and driving them to the Dutch plantations.

Another great discouragement, those colonies lie under, is the arbitrary power and practices of the governors there, and the court at home, which some have, to their undoing felt, and all are liable to.

I will instance, in the case of some few, that the reader may the better judge of the condition of them all.

In the year 1669, colonel, since Sir Henry Morgan, commonly called Panama Morgan, for his glorious undertaking and conquest of

the Spaniards of that place, by fewer than twelve-hundred men, without either horse or pikemen, to oppose, in fair fight, above six-thousand foot, and five-hundred horse, which he did, and afterwards took and ransacked a town, that had baffled, when not half so strong, the famous Sir Francis Drake, who attacked it with four-thousand. This man, as great an honour to our nation, and terror to the Spaniards, as ever was born in it, notwithstanding he had done nothing but by commission of the governor and council of Jamaica, and had received their formal and publick thanks for the action, was, upon a letter from the Secretary of State, sent into England a prisoner; and, without being charged with any crime, or ever brought to a hearing, he was kept here, at his own great expence, above three years, not only to the wasting of some thousands he was then worth, and bringing him into great debts, but to the hinderance of his planting, and improvement of his fortune by his industry, towards which, none in that place, was in a fairer way; so that under those difficulties, and the perpetual malice of a prevailing court-faction, he wasted the remaining part of his life, oppressed, not only by those, but by a lingering consumption, the coldness of this climate and his vexations had brought him into, when he was forced to stay here.

Another remarkable example of the like inconveniencies they have been, and are liable to, is that of the beforementioned Colonel Wall-drond, who, upon a bare suggestion against him, made by a man fairly tried before a court of oyer and terminer, wherein he was but one, though the first in commission, was commanded from Barbadoes hither, where he has been detained above three years; and, at last, upon a full tryal, at an assizes in the country, where his adversary was powerful, and himself utterly a stranger, there was given against him but thirty pounds damage, and that, for no other reason, but that the court-judge was pleased to over-rule this plea:—Whereby such a disorder, ruin, and distraction of his wife, children, family, plantation, and estate, has happened to him, that, as the calamity is not to be expressed, and, for some respects, is not fit to be related, so it could never have been supported by any man, but one of an extraordinary fortitude and understanding, which he has demonstrated by his constant endeavours, under his unjust oppressions, to serve the publick interest of those colonies, and rightly to represent their sad condition at court, especially that of Barbadoes, who was so kind and just to him, at his coming thence, as by the representative body of that island, together with his majesty's governor and council, to make a present unto him of five-hundred pounds sterling, in acknowledgment of his good service he had done that country, together with a publick declaration of his just proceedings in that court of oyer and terminer, and especially in this case, he was brought over upon. And this I must further observe to the reader, that it was not the least crime of state was so much as alledged against him, for banishing him from Barbadoes into England, but merely private malice, supported by the partial tyranny of some great men, occasioned all his sufferings.

I shall not mention the numerous examples of men that have been thus sent from their habitation and industry in those parts, but shall content myself with these two notorious instances of the hard case those well-employed members of the nation are in; for any man, who would think it destructive to liberty and property, to be banished into Barbadoes, Jamaica, or any other colony from England, must believe it is as great an oppression to be kept from thence, against his will, when all his fortune and estate not only lies there, but, for want of his own management, is liable to infinite more casualties and loss, than any estate in England can be.

Another inconveniency, attending the colony, is their being forced to bring their commodities first into England, before they can carry it to any foreign market; which would appear, upon a true examination, not the least advantage to the nation, but a great loss, as I shall demonstrate, when I come to propose proper remedies for these, and many other inconveniencies the colonies at present struggle under, which might be removed with greater profit, both to the crown and kingdom, than to them.

Thus, in short, it appears, that buying the necessary matters for beginning and supporting a plantation one-third dearer, than might in a right method be afforded them, is one great discouraging to planting.

A second, is, that, some of them being necessitous, they are all forced to sell their produce much cheaper, than they can, under that burthen, afford them.

A third, for want of a sufficient stock or credit, they are not able to meliorate their sugars to a degree fit for consumption, whereby so beneficial an art is thrown away upon our Hamburgh and Holland neighbours, to the mighty increase of their wealth and navigation, by our neglect, as well as inconvenient customs and laws.

A fourth, by being subject to the inconveniency of complaints, suits, and removals into England, for matters sufficiently cognisable in those parts; to all which, I shall only add to this section two more.

The first, a want of a true method for preserving the estates and plantations of deceased persons, for the use of their relations or creditors in England.

And lastly, by the great quantity of commodities that are sent out of the Leeward Carribee Islands, and sold to the Dutch at low prices, for private lucre; for those people, saving all the duty, as well as the four and half per cent. there, as the customs in England, and having goods in barter for them directly from Holland, can afford their sugar much cheaper than their neighbours; so that there go out of that back-door for Holland, under the name of St. Eustace sugar, above a thousand and five hundred hogsheads of Muscovado sugar, which, refined with great advantage to that nation in Holland, keeps the markets low in all foreign parts; the proper remedies for all which inconveniencies I shall strive to propose, in my next chapter.

## CHAP. IV.

By what has been said before, I will take it for granted, that the reader discerns clearly, how much to the advantage of the nation all those hands are employed which go to our American colonies, and principally such as transport themselves and servants to the sugar-plantations, as likewise how many inconvenient discouragements they at present struggle under.

The first remedy to which inconveniencies, that I shall presume to propose, is what we most certainly are very defective in, for the greatest concern of the nation, which is for all sorts of trade, I mean, an able, diligent, impartial, and constant sitting council of trade, where all sorts of provisions, concerning it, might freely be debated, and thoroughly examined, before they come into parliament or council. For such a constitution would be an infallible touch-stone, to try the intrinsick value of all notions and projects, that mankind can invent, either for the general good, or particular advantage: It being almost impossible for the privy council, or committees of parliament, in the methods they proceed by, ever to inform themselves rightly of any one difficult matter that comes before them.

For, let but a thinking man, any ways versed in trade, but reflect, how many interfering accidents there belong to that mystery, and how many various shapes every branch of it has taken before it arrived to perfection, and they will conclude it impossible, for noblemen and gentlemen, by short debates, partially managed, as they are usually before them, ever to arrive to a perfect understanding of the matters in question; for want of which, their judgments are abused by clamour, importunity, prejudice, partiality, or some other prevailing byass; and seldom or never, if the matter be of importance enough to require debating, ever come to a right decision, whereby, at last, the secretary, or clerk, to such a board, becomes the only oracle to it; and, as he feels the cause heavy or light, weakly or potently backed, can read its destiny before one argument is heard concerning the matter in issue, be it of never so considerable consequence.

That this is true, all men, who have ever been concerned to attend this kind of assemblies, can infallibly witness: but withal, one would wonder, that a nation so concerned for their interest, as ours, wherein there are few men, that will make a step in any considerable dealing, without the advice of some council learned in the point: That the government of it, which should consist of the wisest of them, should take upon them to alter and change the shape of the greatest concerns of the whole, without the impartial advice of some continually active and solicitous in the mystery of it. But, this being so, it is no wonder our laws and council book orders are so often forced to be changed, for being in direct opposition to a national interest; therefore, as the first great remedy to the grievances attending our colonies, I do propose, that a council of trade may, by act of parliament, be established, to consist of a president, vice-

president, and some convenient number of members, who may continually be sitting to hear, debate, and examine all sorts of proposals and difficulties that arise about trade; and that they may have such salaries out of the publick purse, as may make the business worth wise men's attendance; that no proposal whatever should there be refused to receive a debate, and two or three hearings, or more, as the matter imports; that nothing should be dismissed with a refusal, but with the reasons the council had for doing it, annexed to the proposal: that no judgment of theirs should be final or concluding, but subject to review either there, at the privy-council, or parliament, when answers were, in writing, made and exhibited against such reasons: And that nothing should be advanced either in parliament or privy-council, that concerned the plantations, foreign negotiations, manufactures, trade, or patents for new inventions, which had not been weighed and examined, if not approved of, in mature debates at that council, when established.

If such a board as this was erected under members of large genius's, and proper rules, it would save me, and every other man concerned for the publick, the pains I and they take in writing on this sort of themes; and the memoirs, debates, and resolutions of that so necessary assembly would be the undoubted rules for guiding all commerce, as well as laying on of proper impositions upon trade. But, for want of such a court to have recourse to, I am forced to appeal to all mankind, by a more troublesome and tedious, as well as less significant method, that is, writing a book; which may, if not lead to a remedy for the plantations, at least shew I designed nothing else, when I entered into the undertaking I formerly mentioned.

To hasten therefore to my desired end, I would propose as one effectual way to help the plantations, that a sufficient fund of money might be lodged there, to which, as to an infallible bank, every planter might have recourse, for credit, proportionable to the real value of any he has to give in security, be it land, stock, or goods. Now, that the want of a stock of money, in the plantations, is a great hinderance to their increase, is plain from the great debt due from them to the African company; which, as it increases, does more and more make the company incapable of sending them sufficient numbers of negroes, at an equal and moderate price, as it does them to pay for them when they arrive. But, was there a sufficient bank upon the place, to which every man, at the common interest of the place, might have recourse, that grievance would naturally end, and a plantation, like all increasing things, would thrive by its proper nourishment, money.

But it is objected, that the legal interest of the colonies is so high, that it gives sufficient encouragement to monied men to lend their money there, without a joint stock or great fund to be provided, and sent thither only for that purpose. But experience, as well as right reason, evince the contrary; for we see, and the African company sufficiently find, that money and credit are the things most wanted there, notwithstanding the height of interest. For though a man, that has three or four thousand pounds to put out, would be glad to have ten per cent. rather than five for it, if it were equally legal and secure, yet will he not think it worth while to leave his native coun-

try, friends, and customary relations, to follow extraordinary five per cent. to the Barbadoes : Or, if he did, would there lend it at interest, but would, as others do, endeavour to employ it in more profitable ways : And then to send it thither, or to any other colony, without going himself, is too hazardous for any prudent man to venture. But, if a sufficient joint stock was united under proper rules and privileges, for the use of all the plantations, there is no doubt but the bare encouragement of that extraordinary interest would sufficiently invite monied men into the society ; when, without the least personal care or possibility of hazard, their business must of necessity be rightly negotiated by those proper methods all companies constantly take for the common interest of the society. And, as nothing could be of more advantage to the colonies, than a sufficient credit for every man that had a stock to have recourse to, so nothing could be more necessary for the publick to do for them, than to unite such a stock for their use ; which was one and the main branch of the undertaking, and would have answered the end of their wants, which is to buy what they want for ready money, at reasonable rates, which now all men know the needy planter can no ways do.

To compass the second end, which is to enable the planter to sell his commodity at a full saving price, a common factory is absolutely necessary ; for, whilst there are both poor and rich men in the world, their interests, in divided dealing, must of necessity clash. The poor man must sell his commodity at the price his pressing occasions force him to comply with, and the rich man must at last come to the same price, or never sell at all, when, perhaps, the consumption of the commodity, dealt in, would not be a jot more or less for twenty per cent. difference in the price. That this is the case in sugar, tobacco, and some other plantation commodities is certain, so that nothing places the duty, laid by parliament, on those things to be borne by the planter, but the necessitous seller, who must take the first chapman's money ; or the necessitous factor, which is all one. That this is plain, they will all confess that opposed a common factory ; so I shall expose all that mystery, aiming more to do the business, and justify my own candour, than to anger any man concerned either for his reputation or profit.

Wherefore let it suffice on this head to say, that a common factory, if practicable and made equal, would keep up a full saving price in any commodity whatever, as well as sugar, and also would place any duty the parliament could invent upon the consumptioner, and not on the maker or dealer in it. And, that the common factory intended was practically and equally designed, will to every disinterested man appear, who will but examine the draughts prepared to be offered to the assemblies of the several colonies, to whose approbation or dislike they were absolutely to be submitted, before any joint stock could have been united for their service. Nay, I dare further affirm, that no able or considerable factor but must have found his account, by employment in the common factory, equal to his business in his particular dealing, since all the persons to be employed therein were always to be nominated by the several colonies, and to have been accountable to the planters for their produce.

But, leaving that matter at present, I do affirm, that nothing can ever keep up the just price of sugars, and other West-India commodities, like an equal common factory; and that, well settled, would secure the planter against all accidents of new impositions, let them be what they would, provided it is paid back upon exportation, and a proportionable advance were placed on the same commodities coming from foreign parts; by which, as an equal standard, the parliament too would secure the nation from being imposed upon by any excessive price.

Another mighty benefit, both to the king, planter, and merchant, would accrue by a common factory, if the customs and impositions on their commodities were reduced to a commutation of so much per cent. upon sales, as was proportionable to them, for hereby the importer would not be burthened with paying down and risking his duty in trusting his chapman, nor could the king lose the least part of what was due to him, which conveniences were provided for by another branch of the said undertaking.

But to pass again from that, I say, nothing can enable the planters to buy necessaries cheap, like a sufficient bank of credit, nor nothing keeps up the price of the commodity, as plantations increase, like a common factory.

In the next place, to remedy another inconveniency attending those plantations, which is, being forced to bring their produce first into England before they can send it to foreign-markets.

But, if they had the privilege to carry those commodities directly abroad, which were fully meliorated, free from paying any duty or custom, and superfluous to our own consumption, the crown, which is the great end of the constraint, could not in the least suffer, and we with profit might gain all foreign markets, and set the price of those commodities abroad; which we cannot now do, being liable to a greater charge by longer voyages, double risques, and the expence of time and labour, in loading and unloading such goods, which was also provided for in another branch of the said undertaking.

To prevent the incroachment and misrepresentations of governors and malicious men, against the industrious planter, merchant, and inhabitants of those colonies, itinerant judges might be sent annually, fully empowered to inspect, examine, and represent matters to the privy-council at their return; and finally to determine any appeals from the supreme courts and councils there; to constitute which jurisdiction, it might be necessary, that three or more of the members of the council of trade, having not the least private interest or dealing in those colonies, might be sent out, attended by a register or clerk of that grand assize, with a man of war, first to touch at Barbadoes, next at the Leeward Islands, next at Jamaica, then at Carolina, so on through Virginia, Maryland, Pennsylvania, New-York, and New-England, and so from thence home: The major part of them to be paramount in all civil cases to all governors, wherever they resided; that, immediately on their arrival, the assemblies should meet and sit, by whom they might receive a full account of the wants, defects, and requests of each place, and also examine the several administrations of goods belonging to persons in England by the death of relations,

and other matters, and prevent injustice or the necessity of fetching persons thence from their families or business on any complaints in England; that they might be obliged to hold a sort of term, for three weeks before setting out, to receive oaths of witnesses to be used in evidences there, as also pretences to estates of persons deceased, and controversies about bills of exchange, or any other matters which occasion delay now, and discourage dealings in those parts; that none of those judges should go two years successively together, but that a rotation of that employment as near as may be, should be appointed amongst the members which composed the council of trade; that they should have sufficient salaries for their trouble, and not be suffered to receive any other fee, present, or reward, besides meat and drink, whatever infinite number of conveniencies might arise to those plantations by such a last resort. The manner as well as the full jurisdiction I will omit, being necessary to be more enlarged upon, than I am willing in the short method I have proposed to myself.

In the next place, I cannot chuse but think that the judges, after such a court was established, might omit taking cognisance of those malicious and troublesome, rather than necessary complaints, about carrying people to the Indies; any man concerned being there upon the place able to make his complaint, and receive full damages for any abuse put upon him for an involuntary transportation or non-performance of the contract made with them. This would open the gap to many people's going thither, than which I have proved nothing can be of more advantage to the common-wealth; so that, by saving many troublesome fees, and other dangers, in sending white servants, they might be had much cheaper by the planter to his great encouragement.

In the next place, begging pardon of the African company, if I err, I cannot see an honest reason, why the planters should not be at full liberty to buy blacks at the best market they can, the act of navigation preserved; for is their patent alone a sufficient justification to so perfect and mischievous a monopoly, as that inhibition they pretend to seems to be? For, though they may give many reasons to warrant that united stock and sole trading in Guiney to them, yet I cannot see that can hinder black slaves to be brought to the plantations by an English ship from any other place: But this I am sure of, that, since they may be had by private merchants one third cheaper than the company will afford them, they ought to be at liberty to have them; since the nation is ten times more gainer by the labour of the blacks, than the company is by their price; and one third more of blacks employed in planting, which would follow, if they were one third cheaper, would also enable them to sell the produce of the colonies one third cheaper, by which means they would be able to ruin all other foreign colonies; and in time we may, by cheap selling, get the whole trade of sugar into our hands; which must be such a national profit by this, and our former computations, that no argument on the other side for the company's interest can in the least balance. Besides, if it should be allowed, that the company furnishes the sugar colonies with more than they are well paid for, at the price they take, yet they do not bring them in all one third so many as they could employ.



and do furnish the tobacco plantations with none at all (except what are first agreed for in England, and then the merchant pays extravagantly, and the planter must advance for the merchant's encouragement, and so pay a double profit) who would, if they had them at a moderate price, quickly double their numbers to a mighty increase of shipping and national wealth. Thus the prohibition and total ingrossing the trade of blacks, by the company, does several ways infinitely prejudice the plantations and industrious planters in them, as well as prejudice the publick; but, if the preservation of the Guiney trade be of such advantage to the kingdom, that the castles must be maintained, it is but reasonable those publick things should fall equally on the publick, and not be made so many ways inconvenient to the most useful part of it, which is the industrious planter of America.

If it should be found necessary to support the African company for the good of the Guiney trade, at the same time no doubt but that such care will be taken of the colonies, that they shall be better and cheaper supplied than they have been yet: therefore, with submission to the better understandings of others, among the many ways, that may be thought convenient, I do humbly propose, that any planters may have them delivered by lots at a moderate price in the colonies, or that any planter or merchant, giving good security for the payment of their money in England at a certain time, may have negroes at a certain moderate profit to the African company, put on board their ship at Guiney; or may have goods of the African company at a reasonable profit, to be paid in England at the return of the ship; or that they may have liberty to go and trade thither, paying a moderate sum per cent. for leave to carry their own goods; for it is to be understood, that whatsoever burthen is put upon the negroe trade, the planter pays it, and it will so much lessen the increase of the plantations.

And since by no discerning person it can be denied but that the sugar and tobacco colonies are of very great advantage to England, it is not to be questioned but that our legislators will think it worth their while to methodise that commerce to the best advantage, and to suffer no hardship to be put upon the planter, that they may be enabled to sell their commodities in foreign markets; the benefit of which, to England, will quickly be seen, and in a few years (is easily to be demonstrated) that they will bear out all nations that pretend to produce the like commodities; and then a moderate duty may be laid on their product for the foreigners to pay, which will make foreigners help to support the charge of the nation, and no way hurtful to the planter. By what has been said, for the sugar and tobacco colonies, may be said for all colonies that produce the commodities of foreign nations, as silk, wines, oils, &c. and any other number of men that will engage, to plant and produce, in such a term of years, such a quantity of commodities that are foreign commodities, and not already produced in our colonies, ought to be encouraged by this nation. For no trade can be so advantageous to this nation, for the increasing of navigation, and the consuming of our woollen manufacture, and indeed every thing that is made or used in

England, as colonies; for they, being English, and having all their commerce from England, will always be initiating the customs, and fashions of England, both as to apparel, household furniture, eating and drinking, &c. For it is impossible for them to forget from whence they come, or ever be at rest (after they have arrived to a plentiful estate) until they settle their families in England, by which means their industry, time, and labour, are to be spent for the enriching the English nation. Further I shall not enlarge, but leave what I have said to the judgment of every judicious reader, to amend wherein I may be defective.

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A TRUE ACCOUNT OF  
A LATE HORRID CONSPIRACY  
TO BETRAY HOLLAND TO THE FRENCH.  
AND OF THE TRYAL  
CONFESSION, CONDEMNATION, AND EXECUTION  
OF JACOB MARTINET,  
SHERIFF OF THE TOWN OF SLUYS,  
AND CORNELIUS REOLANDS,  
MASTER OF THE SHIP CALLED THE ARGLE OF AMSTERDAM,  
Who were executed for the said Conspiracy, the sixth of this instant  
May, 1690. Translated from the Dutch Copy.  
London, printed in 1690. Quarto, containing ten pages.

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**T**HE unwearied aims of the French, for a great many years, to swallow up the States of Holland, are sufficiently known to all the world; and, by their intrigues with the late unhappy pensioner De Wit, they were once within an ace of overturning this commonwealth for good and all. That the French continue in their former methods of bribing with their money such villains as are destitute of all love to their country, and who are willing to sacrifice every thing to their accursed greediness of money, we have a fresh example in the treason and tryal of these two miscreants Jacob Martinet Sheriff or Scapen of the town of Sluys, and Cornelius Reolands master of the ship, called the Argle of Amsterdam, which was as follows.

On the third day of April last, there was intercepted a packet of letters sewed within the waistcoat of a seaman, going from Sluys to Ostend by land: which being opened by one of the magistrates of Ostend, before whom the fellow was brought, they were found to

contain a dangerous conspiracy to betray to the French the strong town of Sluys, and thereby a chief key of Holland. Upon which the seaman, being examined, declared that he came from Sluys the day before, and was designed to find some way to get thence to Dunkirk, and that he had received the letters found about him from Cornelius Reolands, his master at Sluys, and was to deliver them to one Monsieur Rayon, a colonel of a regiment of French, lying in the town of Dunkirk.' He further confessed, 'that he had been three weeks before with letters from his master to the same colonel, and that he had returned with letters from the said colonel, directed to his master.'

The fellow, after this confession, was kept close prisoner, and an express immediately dispatched to acquaint the States with it, who thereupon ordered the magistrates of Sluys to secure the said Cornelius Reolands in close prison, and to examine him secretly about this treason. Reolands, being taken, denied all at first, but the letter, he had written to Monsieur Rayon, being produced against him, which had been taken at Ostend about his servant, he not only confessed it was his, but also that Jacob Martinet, the sheriff of the town, was concerned in the affair more than than he, and that the letter written in cyphers, found about his man, was written by Martinet's own hand.

Upon this Martinet being secured, there was one letter immediately directed to the Marquess of Castanage, general governor of the Netherlands, from the assembly of the States of Holland, to desire his excellency would be pleased to send the seaman taken in Ostend with the foresaid letters, immediately under a guard to the town of Sluys, which his excellency was pleased to do.

All things being ready for the tryal of these two traitors, Count Horne, governor of Sluys, was ordered to repair to the town to be present at, and to hasten the tryal. Upon the first day of this instant May the prisoners, Jacob Martinet and Cornelius Reolands, were brought to their tryal in the town-house of Sluys, before judges appointed for that effect, of whom Count Horne was one. Cornelius Reolands, being confronted with his own servant, acknowledged, 'That he and the other prisoner had kept correspondence with one Monsieur Rayon, colonel of a French regiment in Dunkirk, and by his means and mediation with one Monsieur de Terry, secretary of war under the Duke of Luxemburgh, who was to command the French army in the frontiers of Flanders this summer.' And that he and the said other prisoner 'Had received several letters from the said Monsieur Rayon upon the same subject, and in one of them a line from the said Monsieur de Terry, directed to him, and the other prisoner, wherein he assured them, if they would promise to accomplish the design in hand, he should cause to be paid them in hand, each of them ten thousand livres, and, upon the performing of it they should receive, each of them, twenty thousand more, with an honourable retreat and employment in any place of France they pleased.' Helikewise acknowledged, 'That they were to receive the first ten thousand livres a-piece at the return of his servant they

‘ had sent upon that errand, when he was taken beside Ostend ; and  
‘ that the way of returning the money was by a bill of exchange from  
‘ a banker of Paris upon a Jew in Amsterdam, payable to the said  
‘ other prisoner, Jacob Martinet.’ Adding, ‘ That his servant knew  
‘ nothing of the secret, but only was employed to carry the letters  
‘ betwixt Martinet and him, and the said Monsieur Rayon. And  
‘ that he knew nothing of the design till Martinet drew him into it.  
‘ and assured him, that there was the like design in most of the  
‘ towns of Holland.’

Being desired to give account of the design itself, he gave it thus :  
‘ That the said Martinet and he were to let in a great many French  
‘ by threes and fours, under the notion of deserters from the French  
‘ army, and that, before-hand, they were to provide several private  
‘ lodgings for them to be ready upon call. In the mean time he and  
‘ Martinet were to provide a great many firelocks, under the pre-  
‘ tence of buying them, in order to sell them again to the new raised  
‘ regiments in Flanders. That, when they had got into town a com-  
‘ petent number of French in the manner above-mentioned, they  
‘ were to concert with the said Monsieur Rayon a particular night,  
‘ in which he, with other two regiments, should be in readiness to  
‘ march from the nearest places of the French conquests, to Sluys,  
‘ by such ways as were laid down in a plan agreed betwixt them.  
‘ That, at the night and hour appointed, the said Martinet and he  
‘ were to have all the French in readiness with their arms to fall  
‘ upon the garison, there being ordinarily but two-hundred men  
‘ upon duty at a time ; and having cut them off, they were at the  
‘ same time to open the east gate to the other French, under the  
‘ command of Monsieur Rayon, and being joined together to take  
‘ possession of, and keep the town for the French king, whose army,  
‘ at the same time, was to fall down with all diligence and force  
‘ upon the frontiers of Holland.’ He further acknowledged, ‘ that he  
‘ doubted not but the French were tampering with some in most of  
‘ the towns of Holland to the same effect ; and that he knew, there  
‘ were several great sums of money returned by bill to Amsterdam  
‘ to this end, and that there were several agents up and down Am-  
‘ sterdam, Rotterdam, Bergen, Upsom, the Bush, Utrecht, Leyden,  
‘ and all other towns in Holland, who were busy in making intrigues  
‘ to betray the respective towns to the French for several sums of  
‘ money, and promises of great preferment.’

Cornelius Reolands, being found guilty upon his confession, was  
removed, and immediately thereafter Jacob Martinet, the other pri-  
soner, was brought to his tryal. Who stoutly denied he knew any  
thing of a design to betray the town of Sluys into the hands of the  
French, or that he had ever entertained correspondence with Mon-  
sieur Rayon, or Monsieur de Terry, to that or any other effect.  
Whereupon Reolands’s servant, with whom the above written letters  
were found, was produced against him as an evidence ; who, being  
sworn, deposed, ‘ That he had received the letters, which had been  
‘ taken about him at Ostend, from his master Reolands, and that he  
‘ the said Jacob Martinet was present, when his master gave them

‘ him, and that Martinet desired him to return as soon as possible, giving him half a pistole to drink, saying, that, if he got a good answer of some money business he had written about, he, the deponent, should be well paid.’

Martinet briskly denied that he ever had seen this witness, or had been in company with Reolands but once in his life, about six years ago. The evidence, immediately in open court, required two men, whom he knew, to declare, if they did not several times see his master Reolands and Martinet together at the Maurice Head tavern in Sluys; who upon oath declared they had often seen them both go into, and come out from that tavern, they two all alone, and that within less than these two months. Notwithstanding all which, Martinet stood firmly to his denial.

At length the declaration and confession of his accomplice Reolands was read before him, whereat he seemed to be much stunned, having often changed colour, the time of the reading it. But, insisting in his denial, and the law not allowing the confession of one accomplice to be sufficient proof, he was adjudged to be put to the torture. Whereupon all things being ready for it, his courage failed him, and he told the people appointed to put it in execution, that he would confess all he knew of the affair he was charged with, before the judges.

Being thereupon called into court, he freely confessed, ‘ His being upon a plot with Reolands to deliver up the town of Sluys to the French, after the manner contained in Reolands’s confession, with this particular circumstance, that in a letter, written to him by Monsieur de Terry, secretary of war under the Duke of Luxemburgh, he was promised ten-thousand livres more than was to be given to Reolands, together with a place in the presidial court of Sedan, worth three-thousand livres per annum.’ And thereafter being desired to decypher the letter written in cyphers found about Reolands’s man; he freely did it in these words, as was dictated by him from the letter given him in open court.

‘ Sir,  
 ‘ We have fully concerted the manner we are to act here, in delivering up the town; and it rests only, that you be as ready to effectuate your part at a precise time to be appointed, which both Mr. Reolands and I think to be most proper sometime in the middle of May next, because the army of the States will not be in the field till the end of that month at soonest; you see what I venture to serve so great and generous a prince, and it is but a small part of what I would do to serve him. Be sure you, by the bearer, adjust the exact time and way of your being in a readiness to accomplish your part of the design; and I think it were time, that some of these soldiers should be stealing in, as you know. After receipt of yours, we will be every day making one step or other to forward the thing: and though I doubt not but by the same bearer you will send the bill as you promised; so I assure you, I am more persuaded of the reasonableness of having a

' greater sum ready in some hand, to make use of for gaining others  
' to our interest, as perhaps the affairs will require. I need not  
' say more, but commit my fortune to your conduct, who am

Sir,

Your faithful and humble Servant,  
JACOB MARTINET.

*Sluys, April 1, 1690.*

These confessions of both Jacob Martinet and of Cornelius Reolands being again read in open court, they both of them received sentence in these words :

' Forasmuch as you Jacob Martinet, and you Cornelius Reolands,  
' are by your own confession, and other legal proofs and letters,  
' found guilty of holding a correspondence with Monsieur Rayon,  
' colonel of a French regiment in the French king's army, and with  
' Monsieur de Terry, secretary of war under the Marshal Duke of  
' Laxemburgh, in order to betray the garison and town of Sluys to  
' the French for a sum of money, agreed to be paid by the said Mon-  
' sieur de Terry, to you Jacob Martinet, and to you Cornelius  
' Reolands, for doing thereof. By which action the whole province  
' of Holland and neighbouring provinces would have been in em-  
' nent hazards of being thereupon ruined by the French army;  
' therefore the court does hereby adjudge you the said Jacob Mar-  
' tinet, to be taken back to prison, and thence, upon the sixth of  
' May, instant, to be drawn upon a cart to the publick market-place  
' of this town, and there to be hanged up by the neck on a gibbet,  
' and, being near dead, to have your bowels ripped up, and there-  
' after, being fully dead, to have your body divided into four  
' quarters, to be disposed of as the court shall afterwards think fit,  
' and your head to be severed from your body, and affixed upon  
' the very same gate of this town which you designed to open to  
' the enemy. Likewise the court adjudges you the said Cornelius  
' Reolands, to be taken back to the prison, and, upon the said  
' sixth of this instant May, to be taken to the said market-place  
' of this town of Sluys, and there to be hanged up by the neck  
' upon a gibbet until you be dead. And this we give for a final  
' sentence against you both, wishing God may shew mercy to your  
' souls.'

According to this sentence, upon the said sixth day of May instant, the said Jacob Martinet was brought to the place of execution, where he behaved himself very impenitently, and refused to speak to the people, and had the sentence executed upon him as aforesaid.

After him came Cornelius Reolands, who, both in prison, and at the place of execution, carried himself very devoutly and penitently : And, asking leave if he might speak to the people, he expressed himself in words to this purpose, a copy whereof he had given beforehand to the sheriff or scapen that attended him.

*' Good Christian People,*

*' I am brought here justly, for designing to betray my country  
' o a foreign enemy for a sum of money. I confess myself guilty of  
' the crime, and I beg God's forgiveness and your forgiveness for it,  
' and am willing to die for it, as I justly deserve. I must say, I  
' did for some months resist the offers that were made me by the un-  
' happy man that is gone before me; but at length my wants prevailed  
' with me to accept what I thought would rid me out of them. This I do  
' not say to excuse myself in the least; God forbid I should. And as  
' I consented to betray this town, so I did promise to do another  
' villainy, which indeed I forgot to tell my judges at my tryal; and  
' it was, to see if I could prevail with any captains of ships, to be-  
' tray their ships to the French, for which I was to receive money  
' from the French secretary of war to give to those captains. I  
' hope your displeasure against me for so villainous designs will end,  
' when I have satisfied justice with my blood. I earnestly beg the  
' assistance of your prayers for me, in this my agony; and I com-  
' mit my soul to God, hoping to be saved by the merits of Christ,  
' my redeemer.'*

Having delivered himself thus, and heard the minister that waited on him pray, and having prayed himself, he was just going to be turned off, when, pulling up the handkerchief that was over his eyes, he said, *' Good people, there is one thing my conscience obliges me  
' to tell you with my last breath, and it is this: I am afraid there  
' are many such designs in hand, up and down this country, like  
' this, for which I suffer; and I wish there may be some effectual  
' means to prevent them; for I assure you the French agents are very  
' busy every where, and they spare no money to obtain their ends.  
' I have no more to say, but again beg earnestly the assistance of  
' your prayers: and I commit my soul to God.'*

Having thus said, he was turned over the ladder, and his body afterwards, by order of the magistrates, was given to his friends to be buried.

Thus we have one sad example more of the ill effects of the French money towards our country and commonwealth; but we hope God will disappoint all their designs, and bring their accomplices to just punishment.

A DIALOGUE  
BETWEEN FRANCISCO AND AURELIA,  
TWO UNFORTUNATE ORPHANS

OF THE  
CITY OF LONDON.

Licensed, November 4, 1690. London, printed for Randal Taylor,  
near Stationer's-Hall, 1690. Quarto, containing eight pages.

*Guildhall, Nov. 3. 1690.*

*Francisco.*

**A** Good morning to you, madam:—You are an early riser, I see; though I as little suspected to meet you here, as to find a quaker behind the scenes in the play-house.

*Aurelia.* Why, sir, think you that young women have no business in Guildhall?

*Franc.* Yes, madam, but hardly so early in a morning. Had it been the fourteenth of February, I should have suspected you came hither to select one of the aldermen for your Valentine.

*Aurel.* You are pleased to be merry, sir:—What merits have I to deserve an alderman?

*Franc.* You cloud your own worth by your singular modesty; it is well known, that some, who have worn the purple, have taken their cook-maids into the bed with them; and, I hope, madam, their deserts ought not to be named with yours.

*Aurel.* You seem to be better acquainted with me, than I am with myself; but, sir, I hope you have not so ill an opinion of our sex in general, or of me in particular, to think that, in affairs of that nature, women are used to make the first advances.

*Franc.* Yes; in a little foolish gallantry, like this, a lady may go a great way, before she treads upon the heels of modesty.

*Aurel.* Yes, and that little foolish gallantry, as you are pleased to name it, shall be called fondness on our part; for it is the admirable temper of most of your sex, if you observe any thing in a woman's conversation, which you can interpret to your advantage, the nearer you find her approaches, the farther you fly from her, and tell it in company over a bottle—The truth of it is, Jack, I could love Mrs. such an one, but she is so coming, that—

*Franc.* No more, no more, good madam.

*Aurel.* Yes, one word more, and then as silent as you please. Modesty on our part serves to whet and heighten your desires; for it is a virtue of such reputation, that, where you cannot find the original, you dote upon the copy. Witness the truth of what I say, in the conduct of the lewdest women of the town, whose counterfeit virtue allures you to an intrigue, whereas an open declaration of their infamous way of living would frighten you from an amour.



*Franc.* But, in this discourse of modesty and intrigue, we have lost our alderman.

*Aurel.* What have I done, that I should be haunted with aldermer? You are not so ill a philosopher, as not to know, that content and happiness are not always the attendants on a plentiful fortune; which I am neither so vain to wish, nor have merits to deserve, however some of my sex may be pleased with the title of an alderman's lady.

*Franc.* Now, by this aversion of yours to an alderman, I humbly conceive, madam, you are one of the orphans of the city of London.

*Aurel.* You are much in the right, sir; and, if I mistake not, by meeting you here so often, I suppose you are one of the same unhappy number.

*Franc.* It is certainly so, madam; for, like the widow Blackacre, in the Plain Dealer, I am forced to solicit my own cause.

*Aurel.* I come hither upon the same melancholy account, but have as much luck in the attempt, as a poor fellow, that sues for an estate in *forma pauperis*.

*Franc.* Well! there is certainly a pleasure in rehearsing one's misfortunes, especially if the person, to whom they are told, can oblige one with a like relation; please you, therefore, madam, to repose yourself upon this seat, and allow one, that is not a perfect stranger to you, a quarter of an hour's conversation, since we are fallen upon a subject that equally concerns us both.

*Aurel.* The pleasure of that conversation will be wholly on my part, sir.

*Franc.* Good madam, let us not talk as if we were in a dancing-school, but lay all compliments aside as superfluous as fine clothes at a funeral.

*Aurel.* The subject, I confess, is almost as melancholy; for, were our bodies in as desperate a condition as our fortunes, I fear Jesus's powder would do us but little good.

*Franc.* The truth of it is, we have lived upon hope a long time.—A fine, thin, cooling diet, and as necessary, in our circumstances, as water-gruel to a man troubled with an over-heated liver.

*Aurel.* I think we may, not improperly, call this place the land of promise, where we are treated with all the civility possible. 'Indeed, madam, I think of your petition. Truly, sir, you will not fail next court-day. I profess, madam, I do not neglect your business.' And all this is nothing but ceremony and compliment, acted with so much gravity, that, on a court-day, I have satisfied myself to have seen Mr. Bays's grand dance in the Rehearsal.

*Franc.* Indeed, our daily attendance is somewhat like the story of the fellow, that made love to an invisible mistress.

*Aurel.* But, pray, sir, give me leave to inquire of you the reasons, or occasions of the practice of putting the orphans' money into the chamber of London; by what authority demanded; and whether our deceased parents were not influenced by custom, and had a wrong notion of the matter. For, could they have foreseen what has since happened, they would as soon have ordered their executors to have

laid out their money in ruffs and farthingals, as to have put it into that bottomless pit, the chamber.

*Franc.* A place somewhat resembling Michael Angelo's picture of hell, from whence the pope himself could not redeem a cardinal there painted. But, not to run too far from your question, the reasons of the practice were, at first, intentionally good and pious; for—

*Aurel.* So were religious houses in the times of the primitive persecutions, but posterity improved the matter into monasteries and nunneries, though, since, nurseries of luxury and idleness.

*Franc.* Your digression is pithy enough, madam; but, pray, give me leave to proceed. As to the authority, by which it is demanded, it is well known, that, the city of London being, by virtue of Magna Charta, a body corporate, they have a power or commission to enact petty laws and customs among themselves, as they shall see most fit, for the better government of the city—

*Aurel.* Yes, sir, such as ordering the assize of bread, or penny loaves, for the use of school-boys and journeymen taylors.

*Franc.* Still you will be facetious. But to proceed. Amongst other customs, this was enacted by common-council, no doubt, that every freeman dying, and leaving a widow and children behind him, for the better security of what he left them (lest, having their fortunes in their own power, they might embezzle it, or else be betrayed to very unequal, if not scandalous matches :) The money, I say, was paid into the chamberlain's-office, the sum registered, and his note given for security; the lord mayor, for the time being, and the court of aldermen, becoming guardians or trustees to the said widow and orphans, either of which were not to marry, without their consent first had and obtained.

*Aurel.* With submission to their authority, I shall never trouble them with the question.

*Franc.* Heaven be praised, at present the condition of that obligation is void; I Thomas may take thee Abigail, without that license; nay, invite the aldermen to dinner, and they never be offended at it.

*Aurel.* But, granting the intention was good and pious, did it ever answer the end proposed?

*Franc.* Yes, unquestionably, for several scores of years; for I love to do justice to the memory of the dead.

*Aurel.* I wish my thoughts would allow me that liberty to the living. But how comes it to pass, sir, that the bank is not in that reputation as formerly, the city being much more rich and populous?

*Franc.* Now, madam, you ask a very knotty question; but, to the best of my memory, the exchequer, being shut up some time before the bank you speak of, languished in esteem about the year 1681; yet, with submission, I believe we may go higher, even as far the year 1641, London being esteemed by some at Westminster, what was said of England formerly at Rome, that it was *puteus inexhaustus*, a well never to be drawn dry: Something went to the maintaining that unnatural war, besides bodkins and thimbles. The prosecuting of the then miscalled godly cause calling for vast sums

from the chamber, which all the since received money could not repay again; they being oftentimes forced to pay one man's interest with another's principal. And, though the fatal consequences were not known till of late, yet some observators about Guildhall discovered, that a late chamberlain, famous for his skill in military discipline, finding a cloud gathering at court, and that he was like to fall under the displeasure of a great man at Whitehall, gave private notice to some of his own party to draw out their money; and those who wanted that kind intelligence are the chief, if not the only sufferers now; for, you know, it is like the practice of bankers, who being blemished in their repute, their creditors coming in so thick upon them to call in their money, they are forced to stop their payments, in order to a composition.

*Aurel.* But, sir, I have been told, that those, who come a little nearer to our memories, tell us, they have observed a tall building upon Fish Street Hill, a ditch not far from Ludgate, and several conduits, to be built with mortar tempered with a sort of brackish water, known to the virtuosi, by the name of widows and orphans tears.

*Franc.* No, madam, that was not so, your judgment has been misinformed, those publick structures being wholly built at the city charge, by money raised by a tax upon coals, &c.

*Aurel.* I could have wished the wisdom of the city would have converted those funds into other uses. For the payment of the orphans would have eternised their memories more, than if they had erected monuments and mum-glasses in every street of the city.

*Franc.* For my part, though I would have the second day of September never to be forgotten, yet I have wondered what that monument was intended for, except by day for a land-mark for travellers, that lost their way upon Shooter's Hill; and it is pity that some invention is not found out to make a lanthorn of that flaming ball at top, for poor people cannot go to the price of Hemmings's new lights; and coals, they say, will be very dear this winter.

*Aurel.* I heard, sir, that a gentleman the other day, asking his friend, what that streight bodied thing might cost building, was told about eighteen thousand pounds. Did it so, says the other; I know a gentleman of my acquaintance has lent the city just such a sum, I think they had best make a mortgage of it to him for security.

*Franc.* And very good security too. Well, let the monument stand till a country fellow wants two-pence to see it, I care not; and what a pretty account that ditch you speak of comes to, after so many thousand pounds expended in the building it, when the vaults and cellarage belonging to it, are now offered to be rented for one-hundred pounds *per annum*? A very pretty interest for so large a principal. Nay, I am told, that a certain conduit, near Foster-lane, has already gotten a rheumatism, for want of a night-cap. There have been some fine treats at Guildhall, and, supposing there wanted a little sum to buy shrimps and oysters for a dish of fish, I hope it was no such great crime for the caterer to put his hand into the orphans bag to purchase them,

*Aurel.* But, methinks, it, would have been civil, to have invited us to eat part of the fish, when our money paid for the sauce.

*Franc.* No, no, there are meaner provisions suitable to our condition. Lord! Madam, I smile to think how we laugh till our hearts ache, and divert ourselves with our very misfortunes; as prosperity never exalted our thoughts, neither does adversity depress them. It is a practice of philosophy, which few attain to, and the little proficiency, I have made in it, is wholly owing to your generous and sprightly conversation.

*Aurel.* Sir, I would return your compliment, but at present I am out of stock.—For my part, I know no divine nor human law forbids innocent raillery; if the worst come to the worst, it is but reasonable losers should have leave to speak, though it is dear jesting at the rate of eight thousand pounds. But to be serious, is it not deplorable, that a gentleman, well born and educated, should, for want of that money of his which lies in the chamber of London, be exposed to all the indignities of fortune, accept of some mean office, to keep him from starving, list himself a common sentinel, to stave off his importunate creditors; or, perhaps, take the highway, and make his life as desperate as his fortune: Whereas, if he enjoyed what was justly his own, he might make no contemptible figure in the world, where he now lies wind-bound for want of money.

*Franc.* To shew you the reverse of the medal. Is it not pity that a young gentlewoman, whom nature and education have made a finished piece, for want of those bags which lie sleeping in the chamber, betake herself to some mean employ, or at best to wait upon some finical lady, who, excepting her fortune, is not worthy to be named with her for accomplishments; or, at last, it may be she is married to some inferior fellow; or, if I durst be familiar with female virtue, perhaps, by reason of her poverty, exposed to the sollicitations of unlawful love, from which attempts the possession of her fortune would secure her.

*Aurel.* I have wanted neither lawful nor unlawful offers; for the first, I am resolved never to disgrace my father's ashes by a sorry marriage; and from the latter Heaven will, I hope, defend me.

*Franc.* As despicable as my fortune may be at present, I am resolved not to be despicable in my own thoughts: And I will for once, Madam, make you so far my confessor, as to assure you, I loved a mistress, fair, rich, and virtuous; nor was I, pardon my vanity, treated with contempt, and we had certainly married, had not fortune, on my side, forbid the banes.

*Aurel.* But is there no hopes of recovering our fortunes?

*Franc.* Much such hopes as a dying patient has, when he sees his physician shake his head; but, however, we do not absolutely despair.

*Aurel.* I heard the city were about selling some of their lands, in order to raise a fund for the payment of their debts; did that come to any thing?

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*Franc.* Sell their lands, they would as soon sell their character. No, madam, all the hopes we have is from the present parliament.

*Aurel.* Pray, heaven, they prove not as tedious in their votes, as the last sessions.

*Franc.* The greater concerns of the nation, as the wars with France and Ireland, took up so much of their time, that smaller matters were put by, all private interest being to veil to the public good; but my prophetick hopes tell me, that the present parliament will have the matter under consideration, and I doubt not, but those worthy members of the city will be powerful solicitors in our almost sinking cause.

*Aurel.* Then, I think, my stay here needless, for the judges pictures are able to afford me as much consolation as I am to expect from any here. I wait with some impatience the motions of the parliament, but must, sir, after my humble thanks to you for your extraordinary company, be so rude as to leave you.

*Franc.* Pray, madam, let me wait on you home.

*Aurel.* Sir, I am not often attended; but I should be uncivil to deny my hand to a person of such engaging civility.

*Franc.* Madam, your servant. You do me too much honour.

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THE  
JACOBITE'S HOPES FRUSTRATED,  
OR,  
THE HISTORY  
OF THE CALAMITIES

ATTENDING THE FRENCH CONQUEST.

Licensed November, 29. J. Fraser, 1690. London, printed for Jeremiah Wilkins, near the Green-Dragon Tavern, in Fleet-Street, 1690. Quarto, containing twenty pages.

IT is strange to see so many men dissatisfied at their majesties proceedings, which have no other tendency than towards the common safety of their subjects, that is exposed to as great dangers as any country in Europe; and there are some sort of people who are so mad, as to wish success to the professed enemy of their country, out of a vain hope, that they should fare better than the rest of their neighbours, in case any publick alteration should happen in the government; nay, the madness of these men carry them yet further, as to believe themselves able to build their fortunes upon the ruin of their country. I doubt not, if their wishes did prevail, but these

very men would find themselves very much deceived in their expectations, and should have as much cause, as the rest of their fellow-subjects, to bemoan the common calamity of their enslaved country.

We do not as yet understand the doctrine of bombs, and carcasses, contributions, and military executions. Our neighbours to their sorrows know, that there is something more in these words than a bare sound; so many ruined countries, so many defaced cities, towns, and villages, are lasting monuments of the truth of it.

The murmuring of these people is to be attributed rather to their ignorance than their malice; they do not know the calamities that attend war. We have lived so long in peace, that the greatest part of us have no other knowledge of it, than by report; for, if we had partaken in the sufferings of the neighbouring nations, we should be more unanimous in contributing our assistance to stop that torrent which threatens the overflowing of all christendom; if we were but sensible of the dreadful consequences which a foreign conquest brings along with it, we should think it a very good bargain to part with more than half what we have to save the whole, and to prevent that slavery which may overwhelm us and our posterity. In order to open our eyes that we may see our danger, and to unite us against the common enemy, in a cause wherein the interest of every individual person is so deeply concerned, I shall briefly give an account of those miseries which our forefathers felt under the Norman conquest, and afterwards what usage we are to expect from Lewis the Fourteenth, in case it should be our hard fortune to fall into his power, whose very mercies are cruelties; as it evidently appears by his practices as well towards his own subjects, as others, whom his treachery, or his arms, have reduced under his dominion. As to the Norman conquest, it will not be impertinent to shew something of the state of this kingdom before that mighty revolution happened, that we may the better see the greatness of the alteration which this foreign conquest produced in our ancestors days, and to that purpose I shall only consider the condition of affairs under the happy reign of that pious king Edward the Confessor. In his time the ancient laws of the kingdom flourished, the government was administered by an equal distribution of justice to the poor as well as rich, every man enjoyed his liberty and property with great security, peace and plenty appeared in all the parts of the kingdom; but Providence had decreed, that those halcyon-days should determine with the life of that king, who died without issue on the fourth of January, 1066. The kingdom should have descended to Edgar Atheling, being next of blood, and heir at law to the deceased king; but, Prince Edgar being young, the interest and greatness of Harold, eldest son of Godwin Earl of Kent, prevailed with the nobility to reject Edgar's pretensions to the crown, and to advance Harold to the throne, who took upon him the administration of the government; and all the nobility swore allegiance to him.

Toftus, one of the Earl of Kent's sons, envying the prosperity and advancement of his brother, entered into a confederacy, with Harold king of Norway, to invade England both by sea and land. Harold

king of England, having intelligence of their design, made all the preparations, he could, to withstand them. In the mean while, William Duke of Normandy, resolving to make his advantage of these distractions, raised a great army, and prepared a numerous fleet, which consisted of eight-hundred and ninety-six ships, in order to make a descent into England; he soon after hoisted sail, and his whole army landed at Pemsey, near Hastings in Sussex, on the twenty-eighth of September, 1066. Being landed, he caused all his ships to be set on fire, that his men might see, that there was no way left, but either to conquer, or to perish in the attempt. He intrenched himself, and afterwards marched, with a considerable body of men, to Hastings, where he built a fort. He published very strict orders, that none of his soldiers should plunder any of the inhabitants, and kept himself so quietly, for the space of fifteen days, as if there was no hostility intended at all. He pretended a title to the crown, by virtue of a gift from Edward the Confessor, as also by some agreement, or consent, made betwixt him and King Harold. But, whatsoever he pretended, it is certain, that he confessed, on his death-bed, that he possessed himself of the kingdom by no other title, than by conquest; and his deportment towards the English made it evident, that he never intended otherwise.

The king, having given battle to his brother, and the King of Norway's forces, and defeated them, but with the loss of a considerable number of men, received the news of the Duke of Normandy's landing in England. Being flushed with his former victory, he immediately directed his march towards Hastings, though his army had been much weakened and lessened in the late fight. His chief commanders would have dissuaded him from engaging with the enemy upon a sudden, lest the ill circumstances, his army was then in, might prove the occasion of his overthrow; but all the arguments, they could use, were of no force to prevent his destiny.

The Duke of Normandy, being advertised of the king's approach, sent a monk to him, in the quality of his ambassador, with instructions to offer these propositions to him: That either he should resign the kingdom to the duke upon certain conditions, or hold it tributary of him; or else that they two, in the sight of both armies, should determine the matter by a single combat; and, in case of refusal, the duke offered to refer it to the see of Rome.

But King Harold, being resolutely bent to fight his enemy, whatever it should cost him, dismissed the ambassador, telling him, that God only should be the judge betwixt the duke and him. All thoughts of an accommodation being laid aside, the generals on both sides drew up their armies into order of battle; the king himself stood on foot by his standard, together with his two brothers, Gyrthe and Leofwine, to the end that, in the common danger, no man should entertain the least thought of saving himself by flight. Both armies, being engaged early in the morning, fought with various success all that day, till, towards the evening, the king was killed by the shot of an arrow, which pierced his brains; whereupon the Englishmen quitted the field, and left the duke an intire victory. In this battle fell the

king's two brothers, and most of the nobility of the kingdom. John Taylor, in his history of Normandy, relates, that there were slain, on the English side, sixty-seven thousand nine-hundred seventy-four; some other historians say but forty-seven thousand, nine-hundred forty-four; of the Normans were killed six thousand and thirteen, besides such as were drowned at sea before his landing.

The king's death being known, Edwin and Morcar, two brothers, the one Earl of Mercia, the other Earl of Northumberland, having escaped from the battle, came with their retinue to London. They would have persuaded the citizens to make one of them king, in order, if it were possible, to retrieve the misfortune of the late fight, but their proposals would not be hearkened to; so the two brothers went to Northumberland, in hopes to secure themselves there, believing that the duke would hardly come thither, being a place so remote from London.

The two brothers being rejected, the nobility and the citizens would have made choice of Edgar, the nephew of Edmund Ironside, to be their king; and did promise, that, under his conduct, they would once more try the fortune of the kingdom, in a new battle against the duke. But, by reason of the danger that was so near at hand, and the discord which was amongst them, they did neither; so that the Englishmen, if they had unanimously agreed, might have repaired the loss, which they had sustained in the battle of Hastings. But; whilst they would have none of their own country to be their king, they made way for a stranger to come and tyrannise over them.

While the Londoners were trifling away their time in fruitless debates, the duke, though he determined to come to London, yet would not come the direct way, which led thither, but marched up and down through Sussex, Kent, Surrey, Hampshire, and Berkshire, wasting the country till he came to Wallingford, where he rested his army for some time; afterwards, passing the river of Thames, he continued his march through Oxfordshire, Buckinghamshire, and Hertfordshire, having burned all the towns, and killed all the inhabitants, they could meet with, in their way from Hastings, till he came to Berkhamstead, where he made a halt. Thither came to him Aldred Archbishop of York, Wolstone Bishop of Worcester, Wilfire Bishop of Hereford, Clito Edgar, and all the noblemen about London, with many others, who all together submitted themselves, and swore fealty to him, and delivered pledges for their fidelity; with whom also the duke made a certain league, or agreement; but, notwithstanding the said submission and agreement, he permitted his men still to burn towns, destroy the natives, and to ravage all that stood in their way, as they had done before.

A little before Christmas, he marched with his whole army towards London, having his scouts before him to observe the manners and behaviour of the people; who, upon the arrival of the scouts, were assembled in the streets, and fully determined to oppose the duke's entry; who, being come to London, and finding the inhabitants in that posture, made a great and merciless slaughter of them; who,



when they saw they were not in a condition to make any farther resistance, submitted themselves to the conqueror, and gave him pledges for their future good behaviour.

The duke, having possessed himself of the capital city of the kingdom, was there, both by the Normans and Englishmen, chosen, and, proclaimed king on Christmas-day, and, on the same day, was crowned by the Archbishop of York.

Before I proceed any further in this tragical story, it will not be amiss to give some short account, how the Kentish men came to save their country, lives, laws, and liberties, in the midst of these devastations, which overspread all the rest of the kingdom, that our imprudent malecontents may see what effects an unanimous resistance is capable of producing, in such cases of extremity.

The king, soon after his coronation, took a journey to reduce Dover Castle, and the rest of the county of Kent; the Archbishop of Canterbury, and Eglesine, Abbot of the Augustines, being chief lords of that country, understanding the king's design, caused all the people of Kent to assemble at Canterbury, where they declared to them, 'That before the late revolution, there were no bondmen in England, and, that now, as well the noblemen, as the common people, were made subjects to the perpetual bondage of the Normans, and persuaded them to provide for their safety, from the miserable example of an infinite number of their countrymen, who groaned under the yoke of foreign slavery; they likewise encouraged them to defend, manfully, their lives, liberties, and the laws of their country; and that they both, after the example of the Maccabees, would be their captains.' At a day appointed, all the Kentish men at Swanescombe, two miles westward from Gravesend, hid themselves in a wood, where they lay in wait for the king's coming; and it was agreed, that all, as well horsemen as footmen, should carry boughs in their hands. The next day, the king came near Swanescombe, where he was mightily surprised to see himself, on a sudden, inclosed round about by a moving wood. When the Kentish men had hemmed him in, they threw down their boughs, sounded their trumpets, and drew their swords, &c. and shewed themselves in a readiness to give the king battle. The amazed king could not tell what to do in this streight, to which he was reduced. Whereupon, the archbishop and the abbot advanced towards him, and acquainted him with their desires, and, in case of refusal, that they were all ready to die in the defence of their country. The king, who could do no otherwise, granted them every thing they asked; and by this means it was, that Kent preserved its laws and customs inviolable.

Having gone thus far in his conquest, he received homage, fealty, and pledges, from all the noblemen, who submitted themselves to him; he thought this might be a sufficient security for the present, until he could find an opportunity (as he afterwards did by degrees) to extinguish them all.

It is the usual policy of conquerors, to bring as many strangers, as they can into the conquered country, that they may be the better

able to crush the natives, and put it out of their power to make any insurrection, let their sufferings be never so great. To this end, he brought, from Roan in Normandy, a great number of Jews, who were a griping usurious sort of people, whom he knew, that, by their covetous artifice, would omit no ways to make their markets of the poor oppressed natives.

The conqueror had heard how all the Danes had formerly been massacred, in one night, by the English; and, for fear his Normans might be served in the same manner, and also to prevent any nocturnal meetings and cabals, he commanded, 'That, in every town and village, a bell should be rung every night at eight o'clock, and that all people should then put out their fire and candles, and go to bed;' which order was punctually observed, during his whole reign.

In the next place, his favourites and soldiers, who had served him in this expedition, must be rewarded for the toil and hazards they had undergone in his service, to whom he shares the greatest part of the land of the kingdom. Taylor, in his history, reckons six-hundred and thirty families, who had the foundation of their fortunes grounded upon the ruins of the English nation.

Normandy, in his absence, was inclined to revolt from him. Being informed of it, he hastened hither, and carried along with him all the prime noblemen of England, whom he suspected might raise any disturbance in the kingdom, while he was out of it. Having quieted Normandy, he returns, and lays an insupportable tribute upon the Englishmen. It is observable, that the English, by these sort of extravagant impositions, defrayed the greatest part of these frequent wars, which he maintained beyond sea, during his reign over England. As a conqueror, he well knew, that to impoverish them was the effectual means, not only to lessen their fortunes, but also to debase their courage; vast numbers of the inhabitants (whereof many were of the royal family) were forced to fly into foreign countries, to avoid the cruelty of the Normans. Scotland was so replenished with these fugitives, that there was no parish, town, or village, in that kingdom, but had several of them, whom the Scots employed in all their servile drudgery.

Those of them, who could not make their escapes, were reduced to that degree of necessity, that, rather than starve, they were contented to become slaves to those, who, at that time, first had power of life and death over them. The services which they performed to their masters, were the most vile offices, that could be imposed upon mankind. This was the original of bondmen in England.

Before the conquest, there were few or no inland castles in this kingdom; and, wherever inland castles are in use, they are designed, for the most part, rather to enslave the natives, than protect them from foreign invasions. The conqueror was resolved to curb the English, and to enslave them, to that degree, that there should be no possibility left them, of recovering their lost liberties. To that end, he caused a castle to be built at Nottingham, two at York, and another at Lincoln, and a great many more in other places, which were

all garisoned with Normans, who treated the English inhabitants with all the insolencies and barbarities imaginable. This was the reason of building so many castles, in so few years after the conquest; that, about the reign of King Stephen, and Henry the Fifth, about eleven hundred of these castles were demolished by publick authority, in regard that, by that time, they were become a most insupportable grievance to the nation.

The conqueror practised all the ways he could imagine, to extinguish, as well as impoverish the English; and, in pursuance to that design, it was his usual policy to employ them always in his most desperate service. He likewise made use of every opportunity, to engage the English in the destruction of one another, and the circumstances of affairs afforded him an occasion for it. Many of the English nation, being fled into Denmark and Ireland, made war upon England several times, in conjunction with these two nations. The conqueror always made use of English armies, under English leaders, to oppose them; and though fortune commonly declared herself, in most of those battles, in favour of the Norman conqueror, yet the victory was seldom obtained without great slaughter of the English on both sides; neither did he care how many of them perished, provided the consequence was not destructive to his interest.

When he came to be well fixed in the possession of his new conquest, he degraded the few noblemen that were left, and conferred their titles and estates upon his own countrymen; to the intent, that no Englishman, of any quality or interest, should be left in the nation. He would often glory in this piece of policy, and as often deride the imprudence of that good-natured king, Canutus the Dane, who, having subdued England, restored the English to their former possessions; whereby it came to pass, that, after his death, they easily expelled the Danes out of the kingdom, and reinstated the Saxon line upon the throne. It is commonly a conqueror's policy, to abolish all that was in use amongst the conquered people; neither was he wanting in that respect, for he altered most of the laws and customs of the country. Their very speech was so much abhorred, that the laws were pleaded in the French tongue, and the children, in schools, were taught their letters, and rudiments of grammar, in the French language.

He charged upon the nation threescore thousand knights fees, which provided him so many horsemen, well accoutred, whenever he had occasion to make use of them. The possessions of the clergy were not exempted from this service; which, in all former ages, had been privileged from all temporal incumbrances.

The king had given the earldom of Northumberland to one Robert, surnamed Cummin, who marched thither, with a considerable body of men, to take possession of his earldom. The Northern people, hearing of his coming, prepared to resist him, and at Durham, they destroy him, and rout his party. The king comes with an army to the North, to revenge the death of the earl; in his march, he killed

and plundered all he met with ; and, when he arrived in the north, he committed such a general devastation, that, the next year, there was so great a dearth throughout all England, and especially in Northumberland, and the countries next adjoining, that men were forced to eat horse-flesh, cats, dogs, and man's flesh. And all the land, betwixt Durham and York, lay waste, without inhabitants to till the ground, for the space of nine years following.

He plundered all the monasteries and abbies in England, of all their gold and silver, not sparing even the chalices and shrines. In these places he found vast sums of money, which were hid there, by other people, for fear of the Normans.

Having ruined the laity, he was resolved the clergy should fare no better. He hindered all the English from being preferred to any vacant churches, and, to rid his hands of those that were in possession, by the consent of the Pope, he summoned a great council, to be held at Winchester, where the Archbishop of Canterbury, and several other bishops, abbots, and others, were deprived of their livings, to make room for the greedy Normans.

He oppressed the English nobility and gentry so intolerably, with a design to force them to rebel against him, that from thence he might have a more colourable pretence, to destroy them and their families.

What I have in particular said of this conquest, is not the twentieth part of the people's sufferings, neither will my intended brevity permit me to enlarge upon this subject ; for, if all the burnings of towns, slaughters of people, the several torments which were inflicted upon the inhabitants, and the oppressions of all sorts, which they endured, were mentioned, it would afford matter enough for a volume ; but what I have declared, is sufficient to let us see what miseries our forefathers underwent, as also to oblige as many of us, as have a grain of sense, or courage left, to exert our utmost abilities, to prevent the like destruction from falling upon these populous and flourishing kingdoms.

Our malecontents are very much mistaken, if they expect any better usage from a French conqueror, at this day, than their ancestors did meet, in former times, from the taskmasters of the same country. For let them assure themselves, that Lewis the Fourteenth is as well versed in the methods of villainy and cruelty, as ever the Norman was, or could pretend himself to be. His arts do far outdo all that went before him, for, besides the calamities which our forefathers suffered, he hath others in store, which are much more insufferable, some of which follow :

*First*, You shall have a king, that fears neither God nor man, that never observes his oath, nor keeps any promise, made with his subjects or strangers.

You shall be governed by a prince, that is arbitrary in the highest degree ; your lives and fortunes will be absolutely at his disposal, who values the life of a subject, not so much as another man values the life of an ordinary dog.

Forts, citadels, and standing armies will be your continual plagues. Nobility and gentry must down, and betake themselves to the plough, to make room for the insolent monsieur.

A dog's life (hunger and ease) will be much better than yours; for you must be very industrious, though the fruits of your labour must wholly result into the king's coffers; you shall sow wheat, but shall not eat one bit of the bread thereof, throughout the whole year.

You shall be continually subject to as great a burthen of taxes, as your backs can bear, or your slavish industry pay. To prevent extravagancy, you shall be constrained to wear the meanest cloaths, and, for good husbandry, you shall trot about in wooden shoes, *alamode de France*.

These are the blessings, which a French despotical power brings along with it. But this is not all that a protestant country is to endure under the monsieur's tyranny, for he will make your souls suffer, as well as your bodies; and, therefore, I shall give you a short account of the compendious means, he will make use of, to pervert protestants to the idolatrous popish religion. He will send his infallible apostolick dragoons amongst you; and this is their way of discipline, in case you do not readily comply with them. The first compliment they use, is to quarter themselves, by violence, in your houses, and take especial care you do not make your escapes, or hide any of your goods or effects; then they will proceed to consume all the provisions you have in your houses, and seize upon all money, rings, plate, jewels, &c. and, in short, whatever they can lay hands on, and, afterwards, will expose your goods to publick sale, to the neighbouring towns and villages.

Having thus disposed of your goods, in the next place, they fall upon your persons, and there is no wickedness, or horror, which they will not put in practice, to force you to change your religion. They will hang men and women, by the hair or feet, on the roofs of the chambers, or chimney-hooks, and smook them with wisps of wet hay, till they will be no more able to bear it; and, when they have taken them down, if they will not sign to what shall be proposed to them, they will hang them up immediately.

Another way they make use of, is, to throw people on great fires, kindled for that purpose, and forcibly keep them there, till they are half roasted. They also tie a rope under their arms, and plunge them to and fro into wells, till they promise to quit their religion and conscience; and, in this posture, with a funnel filled with wine, they pour it down their throats, till the fumes of it deprive their reason, and then they obtain their consents to be catholicks, as they call them.

Others they strip stark naked, and, after having offered them a thousand infamous indignities, they stick them with pins from head to toe.

Some they cut, in several places, with pen-knives; and sometimes, with red-hot pincers, they take them by the nose, and, after that, drag them about the room, till they promise to comply.

Others they beat with staves, and drag them, all bruised, to the

churches, where their forced presence will be accounted for an abjuration.

Some they keep from sleep, for seven or eight days together, relieving one another, to watch them night and day, to keep them awake continually.

They use to throw buckets of water, and torment them a hundred ways besides, holding, over their heads, kettles turned downwards, and drum upon them continually, till the poor creatures have lost their senses.

If they find any sick (either men or women) that keep their beds, distempered with fevers, or other diseases, their way is, to bring about twelve drums, beating an alarm, at the bed-side, for whole weeks together, without intermission.

It is their usual practice, upon these occasions, to tie fathers and husbands to the bed-posts, and ravish their wives and daughters before their faces. They pluck off the nails of the hands and toes of others; they blow up some with bellows, even till they are ready to burst.

These, and ten-thousand other villainous ways, the jesuitical spirit hath found out, to make new converts. Whoever hath the curiosity to see them, let him but peruse the history of the persecution of the protestants in France, and he will find, that the ten primitive persecutions were but mercies, in comparison of those monstrous torments, lately invented, and put in practice upon those miserable creatures, by the order of the christian Turk, Lewis the Fourteenth.

If you fall into French hands, you see what is like to become of you; your bodies will be condemned to irretrievable slavery; and your souls (as far as it lies in their power) shall be consigned to the devil. If you are not so wise, as to regard either body or soul, I have done with you, and so farewell.

## REASONS FOR SETTLING ADMIRALTY-JURISDICTION,

AND

### *GIVING ENCOURAGEMENT TO*

MERCHANTS, OWNERS, COMMANDERS, MASTERS OF SHIPS,  
MATERIAL MEN, AND MARINERS.

*Humbly offered to the Consideration of his Majesty, and the two  
Houses of Parliament.*

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**T**HERE is nothing can conduce more to the peopling and enriching a kingdom, or commonwealth, than a free and open trade; and, as that by sea is the principal source of such happiness, it may very

well deserve the government's most particular care and application to advance it.

And since this is no other way to be done, but by enabling the king to set forth fleets for the merchants security abroad, and establishing good laws for defending them in their rights and properties at home, it is most humbly proposed, whether this may not be effected with the greatest ease and advantage, by resettling the admiralty-jurisdiction, and restoring the ancient power of enrolling mariners.

Usage and experience were always accounted very good directors; and therefore, the better to accomplish this design, it may not be improper, in the first place, to give a short account of the methods observed by our ancestors, in whose times our sea-dominion was at the greatest height, and trade in as flourishing condition as those ages would admit: And, in the next place, to consider of the best means to improve these methods, and adapt them to the present times.

The sea-coasts of England were anciently divided into several vice admiralities, viz. 1. Northumberland, Durham, and York. 2. Lincoln. 3. Norfolk. 4. Suffolk. 5. Essex. 6. Kent. 7. Sussex. 8. Southampton. 9. Dorset. 10. Devon. 11. South Cornwall. 12. North Cornwall. 13. Somerset. 14. Gloucester. 15. South Wales. 16. North Wales. 17. Chester. 18. Lancaster. 19. Westmorland and Cumberland.

Each of these places (the port of London being immediately under the admiralty-court, as to this matter) had a particular vice-admiral, who had power to hold a sessions once in the year, or oftener, if occasion required, and to call before him, or his officer, all seafaring men and mariners, living within his district or division, and then and there to enroll all their names and places of abode, taking account, likewise, of all ships within their jurisdiction.

This was the method used several hundred of years since, as appears by certain maritime laws and ordinances, registered in the ancient authentick Black Book of the admiralty; four articles of which are as follow.

1. Puisque l'homme est fait \*admiral, premierement luy fault or. donner & substituer dessous luy pour estre ses lieutenants, deputez, & autres officiers, des plus loyaulx, sages, & discrets en la loy marine, & anciens coustomes de la mer qu'il pourra en aucune part trouver, par ainsy que par l'aide de Dieu, & leur bonne & droiture gouvernail l'office pourra estre gouverne a l'honneur & prouffit du royaume.

2. Item, Apres doit l'admiral en toute la haste qu'il bonnement pourra escripte a tous ses lieutenants, deputez, & autres officiers quelconques par tous les costez de la mer, parmy tout la royaume pour savoir combien de nef, barges, balengiers, & autres vesseaulx de guerre le roy pourra avoir en son royaume, quant lui plest, ou mes. tier lui fera, & de quel portage ils sont, & aussi les noms des seigneurs & possesseurs d'icelles.

8. *Item*, Pour savoir aussi par bonne, & loyales enquestes pris par devant les dits lieutenants, deputez, ou autres officiers de l'admiral combien des mariniens defensibles sont ou royaume, & la cause est pourceque s'il soit de ce demande de l'admiral par le roy ou son conseil, qu'il y donques bonnement & justement a eulx monstrier le nombre tant de nefz, barges, balingers, & d'autres vesseaulx de guerre & aussi les noms des seigneurs & possesseurs d'icelles, comme le nombre de tous mariniens defensibles parmy le royaume, & ainsy saura le roy & son conseil de certain tousjours sa force par la mer.

4. Et pource qu'il a ete plusieurs fois debatue en \* Angleterre pour less arrers des nefz quant le roy † a mande sergents d'armes ou autres ministres pour arrester nefz al ceps du roy, & les seigneurs des nefz sont venus devant l'admiral, & alleguent qui leur nefz n'estoyent mye arrestees, ordonne estoit *au tems du Roy Richard le Premier a Trymnesby par avis de plusieurs seigneurs du royaume* que quant-nefz serent arrestees pour service du roy que le roy escripta par ses lettres patentes a l'admiral d'arrester les nefz, &c.

If the sea-faring men were not obedient to the vice-admiral's summons and orders, made according to the maritime laws, they had a coercive power sufficient to oblige them to be enrolled, and to go into the king's service, whenever occasion required.

This method of raising seamen was continued in good order, down to the end of the prosperous reign of Queen Elisabeth, from which time it began to be neglected, and so dwindled by degrees, till at last the use and practice of it quite vanished, insomuch that, at this day, the very remembrance of it is almost lost; and it is not at all strange, that it should be so, if we consider the temper of King James the First, the circumstances of King Charles the First, the late troubles, the remissness of the reign of King Charles the Second, and the designs of the late king.

During the two last reigns, who would not think, but the design was to transfer the sovereignty of the seas, and trade of the world, to France: since such industry was used by the kings themselves, not only to instruct the French king, in the building ships of war, and setting out fleets, but also in the giving him assistance in the compiling of his sea-laws, set forth in the ordinances of that king, in the year 1681? The French had from hence also the first foot-steps of their exquisite method of enrolling mariners. And, if it shall be thought fit for the kingdom's service, or in any measure conducing to our happiness, why shall we not follow likewise the more glorious example of our present king, in endeavouring to retrieve it? We have certainly the greatest motives that ever Englishmen had, to excite every one in his respective station, to give his majesty those hearty assistances, as may, under the blessing of God, regain the betrayed honour of the nation, and settle the peace, plenty, and glory thereof, for which, next to the establishment of our religion,

\* Liter. C. n. 18.

† If ancient usage and custom be law in England, there is little doubt of their majesties authority for pressing ships and mariners; but, for the satisfaction of the curious, they may consult the Records quoted by Mr. Prynne in his *Animadversions*, fol. 197, and also consider the statutes, 2 R. II. 4. 18 H. VI. 19. 2 & 3 P. & M. 16. 3 EL. 2. 43 El. 3.



our royal leader hath hazarded more than ever any of our kings did before him.

And therefore, since a ready way of raising a sufficient number of seamen to man the fleet is of the greatest concern in this affair, and the encouraging of them voluntarily to enter into their majesties service is of no less importance, it is humbly proposed, whether this may not be done most effectually by improving the ancient methods of pressing seamen, with a bill in parliament, to this purpose, viz.

1. That such seamen, as shall voluntarily enroll themselves in the admiralties, or vice-admiralties, may be exempt from petty offices, in the parishes where they live, and also, from the payment of parish duties, taxes, and the like, during their lives, or so long as they shall continue enrolled.

2. That all prizes be divided into three parts, one third to the captor, and his ship's crew; another to go to the chest at Chatham, towards a provision for sick and wounded mariners, and the widows and children of such as are slain; the remaining third, to pay the charge of prize officers.

3. That the act of parliament, 43 Elis. 3. concerning the relief of soldiers and mariners, be amended, and the money collected, by virtue thereof, transmitted to the Chatham chest, for the uses aforesaid. That money amounts to about fourteen-thousand pounds *per annum*, and may with care be made as much more, if it shall be found requisite, and, as it is now ordered, is of little or no use to the government.

4. If it may consist with their majesties affairs, that the wages of captains, officers, and seamen be a little advanced, they being not so good, considering the present value of money, as they were formerly.

5. That such mariners, as shall not voluntarily enroll themselves, or appear upon the vice-admiral's summons, or stand out till they are pressed, shall not have the benefit of the aforesaid privileges and exemptions.

6. That no captains, commanders, or seamen remain in foreign service in time of war, without licence, and that they return upon their majesties proclamation, under such a penalty as shall be thought fit.

If such a re-establishment of the admiralties and vice-admiralties were made, besides the benefit of easily supplying the fleet with mariners, these further advantages would accrue to their majesties, and such of their subjects and allies, as should be concerned in sea-affairs, which will tend very much to the advancement of trade and navigation.

1. In time of war, the officers of the several vice-admiralties might take the care and charge of all prizes brought into their respective districts, which would make the business much more easy, and also save a great part of the charge to their majesties; for it may be easily demonstrated, whenever it shall be required, that this business may

be managed for one third part of the proceed of prizes, and the other two thirds may be applied to the chest at Chatham, and given to the captor and his crew, as is before hinted.

2. Their majesties and the lord admiral's rights and perquisites, in time of peace, as well as war, would be preserved; whereas, at present, no manner of care is taken thereof, notwithstanding that they are many times of a considerable value.

3. The customs of goods shipwrecked, as well as the lord admiral's due, will be better preserved, and their majesties will not be so easily defrauded thereof, by people that steal such goods, or by inferior officers conniving at, or combining with them; not only because the vice-admirals, who have the care thereof, are usually noblemen, or gentlemen of the best qualities and estates, and so have great authority and power, in their several countries; but also, because the vice-admiral or his officer, and the customer, will each of them be obliged to set a lock on the salvaged goods, and one will be a check upon the other.

4. Where merchants are in distress at sea, near the shore, or run a-ground, the officers of the vice-admirals would be ready to assist, knowing, that they shall be recompensed according to their pains, and punished, if they refuse: Whereas, at present, the country people make a prey of those miserable merchants, and will afford no manner of assistance, but rather contrive all they can, that the ship may be cast away; nay, many times, are so barbarous to kill or drown people making escape to land, that thereby they might have a pretence to a wreck.

5. When ships or goods are cast away, and any part thereof driven on shore, the vice-admirals would take care to keep off the rabble, and secure all for their true proprietors, upon moderate salvage, whereas, at present, every one taketh away what he can get, and no remedy.

6. If the vice-admirals, or their officers, happened not to be present at the time, when any ship was cast away, or goods driven on shore, they would, as they did usually in that case heretofore, issue out commissions of enquiry, or procure such commissions from the high court of admiralty, and summon what persons they pleased before them, and so examine by maritime evidence, and make immediate restitution of all that was saved to the owners, upon such salvage as was meet, and punish all the offenders that stole away, or embezzled the said goods; whereas, that jurisdiction being now interrupted, there is no relief for the sufferers, but by way of trover, trespass, or other actions at common law, which must be brought separately against the several parties offending. The multiplicity of such suits will, in the end, but add to their affliction, in spending their time and money; for many times, at the last, when they have staid half a year or more for the assizes, and those things are brought on to a trial, it so happens, that the witnesses (whose whole livelihood consists in trade, and being on board ships) are gone to sea; and so evidence cannot be brought, *viva voce*, to prove the interest in the goods, as those ways of action require.

7. Mariners will have a quick and easy dispatch in the admiralty courts, they being always open and ready to determine at one hearing in a week's time, or less, whenever they come on shore ; and they may also join a whole crew in one action, whereas, at common law, they must be several, and must also attend the terms or assizes, which they cannot do without losing their employments.

8. Builders of ships, and material-men, who furnish them with all sorts of provision for setting them forth to sea, would in the admiralty-courts have likewise a quick dispatch and remedy against the ship by them built, repaired, and furnished ; whereas, at present, if the party, that they contracted with for the same, proves insolvent, and procures a prohibition, which is usually done, they have no remedy at all, which is a great discouragement to setting out of ships, and has occasioned frequent and very grievous complaints.

9. Upon the establishment of those courts, the fisheries on all the coasts and navigable rivers would be preserved ; about which, no effectual care is taken at the present.

10. All annoyances in ports and navigable rivers would be presented in the admiralty-courts, and offenders punished, and made responsible for damages done thereby ; which of late has been neglected, and no relief to be had for such as have suffered thereby, especially, where a ship or anchor doth damage, and the master thereof proves insolvent.

11. The resettling of these courts would be an encouragement to men of parts, to apply themselves to the study of the law of nations, and of the sea ; whereas, at this time, that profession, heretofore thought to be of some use to the government, seems to be altogether discontinued and neglected. However, it is not the benefit of any profession that is to be regarded in this matter, but the general advantage of the people, for which end, all laws are made ; and, if those laws afford the best remedy, in all reason, they ought to take place, and be promoted.

The common law, although most excellent in its kind, yet, being framed for land affairs only, will be found too narrow for the decision of all the differences arising among sea-faring men and merchants. Nay, the very Roman laws, acknowledged by all to be the most comprehensive, are deficient in those cases, unless they take in the maritime laws, the excellency of which doth not only consist in proper rules, made by the long observation of traders, but also, in the incomparable dispatch that is given to maritime affairs at all times and seasons ; a thing absolutely necessary for the encouragement of trade and navigation, and no where else to be had but in the courts of justice established for that end and purpose : And this may be plainly demonstrated in the following cases : concerning,

1. Building, repairing, victualling, and furnishing ships to sea,
2. Contributing towards setting forth upon voyages.
3. Cases of bottomry.
4. Contracts made beyond sea.
5. Damages on the sea, and navigable rivers,

6. Mariners wages.
7. Freight and charter-parties.
8. Misdemeanors and nuisances in navigable rivers.
9. Foreigners debts.

1. By the sea laws, the ship is liable to the builders, amenders, and victuallers thereof: But, by the common law, the person that made the agreement, who often is an insolvent master, or part-owner, and sometimes set up for that very end, is only liable; so that, if the builder, repairer, or victualler, should be constrained to sue at common law, they would not only lose their chief security, but would also be forced to bring each man his separate action; whereas they might be all joined in one action in the admiralty.

Besides, the ship or vessel being proceeded against in the admiralty, every part-owner is liable for his share; whereas, if the master, or part-owner, that made the contract, be sued at common law, if he be solvent, will be constrained to pay the whole; and yet, many times, cannot recover the respective shares of his part-owners; at least, without beginning a new suit in chancery.

2. If a part-owner refuses to contribute to the setting out of a ship, the admiralty-court uses to take bail of those that would set the ship forth, to return her within a competent time, or else to pay the other part-owner, that refuses, to contribute for his part, according to an appraisement then made: And, if this practice of the admiralty should be interrupted, it would be in the power of one cross part-owner to keep the ship by the walls, the consequence whereof may be easily imagined; and yet the admiralty is many times obstructed in the cases following, *viz.*

1. Differences, about setting forth ships upon voyages, often happen, in regard more parts are sold than are in the ship; and then, if the admiralty goes to examine into the truth of such bills of sale, the party obtains a prohibition.

2. Sometimes a part-owner mortgages his part, and both the lender and borrower come in upon the proceedings of the admiralty to contribute, and, if any party cannot obtain his end, he presently moves for a prohibition.

3. Frequently a part-owner, that is called to contribute, will first desire, that the master may give his accounts, which the court cannot, in justice, deny; and yet, if it be ordered, such cross part-owner has his end, and immediately thereupon obtains a prohibition or an injunction: in all which cases, it is requisite, that the admiralty, that has an undoubted jurisdiction in the principal cause of contributing to set a ship forth, should likewise have power to determine those incident questions, or else trade and navigation will be much discouraged.

3. By the common law, the master cannot pawn the ship for necessities, although in the greatest extremity, and, therefore, a voyage is many times lost; but, by the laws of the admiralty, the ship is chargeable upon bills of bottomry, provided that the money advanced be proved to be laid out for things actually employed in

and about the ship, being in absolute necessity, and, without which, she could not proceed, whereby the voyage is performed. And, if the admiralty-jurisdiction be obstructed in this, a necessary expedient of navigation would be lost, and our ships, when driven into foreign parts, must lie there, till the master can send home, and procure money to be remitted to him; whereas the ship, with other nations, is the standing credit in such cases of necessity.

4. Contracts, made beyond sea concerning maritime affairs, may more conveniently be tried in the admiralty than at the common law, because the witnesses cannot often times attend at the trial, as the course of that law requires; but, in the admiralty, they may be, at any time, taken in writing, or, if there be occasion, examined by commission in foreign parts.

Contracts beyond sea are made by the rules of the maritime laws, and by persons experienced therein, and, therefore, foreigners have reason to expect to be tried by the same laws here, as well as in their own country: For, if the validity of such contracts should be tried by the common law, which differs from the rules of the maritime laws, the contract, that was as well and firmly made by them as was possible, may, in the end, have no effect and force.

5. If damages happen by ill stowage, or insufficiency of the ship, or by reason of storms, or the like, there are known laws whereby the admiralty-court uses to proceed.

If damage be done by one ship running against another at sea, or in navigable rivers, or by anchors for want of buoys, or the like, the utmost remedy, that the common law gives, is against the master and mariners, which are, for the most part, insolvent, unknown, or absent: In all which cases, the laws used in the admiralty give remedy against the ship.

In case of the loss of a ship before it comes to the port of delivery, by the maritime laws, the mariners shall receive wages, and the owners freight to the last port of delivery, and no farther; but, by the common law, for so long as they have served, loss or not loss, they may recover: Likewise in case of average, or casting goods overboard in a storm, the master, mariners, and owners shall bear their proportion of the loss; which things, although they are very just and equitable, and great obligations to use care and diligence, yet are unknown, and not observed in proceedings at common law.

6. If the mariner knows he must sue for his wages in the admiralty, and not at the common law, he will be thereby obliged to more diligence and obedience: for, if he be mutinous, disobedient, or desert the ship, he makes a total forfeiture of all his wages. If he purloin, or embezzle any of the goods, or be faulty in the due stowage thereof, or damage happens for want of pumping, or through his default, his wages will be liable to a proportionable satisfaction; whereas, at common law, the mariner will recover his wages for so long time as he has served, and leave the commander, or owner of the ship or goods, to seek his satisfaction for the damages aforesaid; and this may also be done by letter of attorney, and so there is no remedy, which is a great discouragement to foreigners to lade their

goods on English vessels: And, as the mariner is punished, if he be faulty, so he has an easy relief in the admiralty, if he doth his duty.

The necessity of a mariner's condition requires a quick dispatch, which is accordingly provided for by the court of admiralty, kept weekly in the vacations, as well as in the terms; and although forty mariners may be included in one action, yet the whole may be determined in a week's time; whereas, at the common law, every mariner must bring his several action, to the great charge of the several defendants, as well as themselves, and must all attend till the term or assizes for a trial, and, perhaps, at last want evidence, when in the admiralty he can have the oath of the contractor for discovering the contract, which is usually private, and not to be proved by witnesses. Besides, by the course of common law, the remedy for the mariner is only against the contractor, who may not be found, or else insolvent; but, in case he be found, and solvent, there is another inconvenience on the other side, for the contractor will be forced to pay the whole wages, and yet many times cannot recover the shares that are due from his part-owners, without a Chancery suit; whereas, in the admiralty, the mariner may have relief against the ship or freight that is due, and the whole difference be determined at once.

7. There is so necessary a relation betwixt freight and wages, that it will be very inconvenient to try them in separate judicatures; because,

1. Usually the wages are paid out of the freight.

2. There are divers cases, wherein mariners wages are to be abated, in respect of an abatement of freight; as, in case of loss, or spoiling the merchants goods.

3. If the master and owner are sued in the admiralty for wages, and forced to sue at common law for freight, out of which they should pay such wages, perhaps a judgment may pass against them immediately upon a summary hearing in the admiralty, and yet they shall not be able to recover their freight in three months time, or longer, at the common law.

4. There is necessity, in many cases, to depart from the letter of the charter-party; otherwise the merchant, master, and owner may be ruined; This the maritime laws and court of admiralty do permit, which the common law doth not. For instance:

A contract is made for six months, payable monthly by the charter-party; yet, if within the time the ship be embargoed, no freight shall be paid for that time. Likewise, if the goods perish, before a port be made, there is no freight or wages to be paid.

5. The freight of one voyage is the supply of another, and therefore requires a very quick dispatch for the advancement of trade and navigation, which is settled by the course of admiralty, and cannot be by the course of common law.

6. The freighter may be upon, or beyond the sea, and cannot be arrested, or may be insolvent, whereby the master and the owner of the ship is remediless at the common law; but, by the maritime law, the goods may be arrested, and, upon default, condemned for the

payment of the freight; and this is the great security of the master and owner.

7. If freight must be sued for at common law, the master and owners of the ship may sue for the same by letter of attorney, and the freight shall not be stopped for damage done to the goods, or embezzlements: For the course of common law is not to stop by way of compensation, but a verdict passes for the freight upon the charter-party, according to agreement, and so the owner of the goods is defeated of his satisfaction, according to the maritime law for damage or embezzlements, besides the inconveniency of multiplying actions; whereas the whole may be more properly decided by one and the same action in the admiralty, and many times is done upon a summary hearing, in a week or fortnight's time; by which means the great expence of money and time, two of the most necessary supplies of trade, is prevented.

8. Misdemeanors and nuisances in navigable rivers were formerly, and may again, with great conveniency, be settled under the admiralty-jurisdiction. The common law doth not, and, if the admiralty should not intermeddle, there will be a failure of justice in those cases.

A merchant lives beyond sea, or cannot be found, but has a ship come into a port, or navigable river, or, it may be, has goods on board, and owes some of their majesties subjects money. One of these arresteth the ship or goods by an admiralty-warrant, and thereupon bail is given to the action: Is it not reasonable, that their majesties subjects should proceed to sentence, and have the benefit of the law of nations? Shall a prohibition be sent, to stop proceedings, when the common law can give him no remedy? Or, that one of their majesties courts should hinder the other, when they can give no manner of relief themselves? This is certainly to be redressed, if trade is to be encouraged, since it preserves foreigners and fugitives from paying their just debts, by reason that their persons cannot be apprehended.

If these matters may be thought fit to be resettled in the admiralty-court, it is humbly desired, that leave may be obtained for bringing a bill into parliament for that end, so that it may be positively determined what causes shall belong to that jurisdiction; for the old statutes that restrain it, as they have in the late reigns been put in execution, are the terror of merchants, owners, material men, and others that live by sea-trade, insomuch that they dare not think of suing in the admiralty for their just damages and debts contracted by maritime employments, but are forced contentedly to sit down with such their losses, for fear of being sued at the common law upon the action of double damages; which is very hard, when thereby they are not only deprived of the best relief, but, in many of the foregoing cases, have no ways to begin an action at common law.

This jurisdiction has been several times settled, particularly by the king in council, in the year 1632, after which it being interrupted, it was in the late times thought necessary to be resettled by

ordinances of parliament, as may be seen in Scobell's Collection, c. 112. *anno* 1648. *f.* 147. and c. 23. *anno* 1649. *f.* 16. Since the restoration, it has been again interrupted by prohibitions, which gave occasion for several petitions from many considerable merchants, masters, owners, and material men; one of which petitions is hereunto annexed, but they could have no relief during the two last reigns. However, it is hoped, that this parliament will restore so necessary an encouragement of trade and navigation, the chiefest wealth and support of the kingdom.

It must be expected, that some of the common lawyers will oppose such a bill, for the same reasons that some civilians will promote it: But either of their private advantages is not to be regarded, but only the publick good. It may be easily demonstrated, that the admiralty anciently had cognisance of many more causes than are abovementioned: and on the other side it is as plain, that prohibitions have been awarded in most, if not all of them. But arguments, drawn from thence, would do no more than tell the world, that one jurisdiction oppressed the other, according as it had power, and between both did grind and harrass the subject, and is a better reason for settling the jurisdiction, than for serving the private ends of either party. And there need be no more other weight laid upon what is urged from thence, but rather to pass by all disputes of that kind, and not so much examine, whether prohibitions have been duly, or unduly, sent to the admiralty, of which there will be no end; (as may appear by the several fruitless tracts that have been published to that purpose on each side) but rather to consider, what is fit and expedient to be done for the general advantage of the kingdom; and what courts, what laws, and which profession can most easily and readily administer justice to the subject in the foregoing cases.

## APPENDIX.

*At Whitehall, the eighteenth of February, 1632. Present the King's most excellent Majesty.*

Lord Keeper,  
Lord Archbishop of York,  
Lord Treasurer,  
Lord Privy-Seal,  
Earl Marshal,  
Lord Chamberlain,  
Earl of Dorset,  
Earl of Carlisle,  
Earl of Holland,  
Earl of Danby,  
Lord Chancellor of Scotland,  
Earl of Morton,

Lord Viscount Wimbledon,  
Lord Viscount Wentworth,  
Lord Viscount Falkland,  
Lord Bishop of London,  
Lord Cottington,  
Lord Newburgh,  
Mr. Treasurer,  
Mr. Comptroller,  
Mr. Vice-Chamberlain,  
Mr. Secretary Coke,  
Mr. Secretary Windebanck.

THIS day his majesty being present in council, the articles and propositions following, for the accommodating and settling the differences



concerning prohibitions arising between his majesty's courts at Westminster, and his court of admiralty, were fully debated, and resolved by the board. And were then likewise, upon reading the same, as well before the judges of his highness's said courts at Westminster, as before the judge of his said court of admiralty, and his attorney-general, agreed unto, and subsigned by them all in his majesty's presence. And the transcript thereof ordered to be entered into the register of council-causes: And the original to remain in the council-chest.

1. If suit shall be commenced in the court of admiralty, upon contracts made, or other things personally done beyond the sea, or upon the sea, no prohibition is to be awarded.

2. If suit be before the admiral for freight or mariners wages, or for the breach of charter-parties, for voyages to be made beyond the sea, though the charter-parties happen to be made within the realm, and although the money be payable within the realm, so as the penalty be not demanded, a prohibition is not to be granted. But if suits be for the penalty, or if the question be made, whether the charter-party were made or not, or whether the plaintiff did release, or otherwise discharge the same within the realm? That is to be tried in the king's court at Westminster, and not in the king's court of the admiralty; so that first it be denied upon oath, that a charter-party was made, or a denial upon an oath, tendered.

3. If suit shall be in the court of admiralty, for building, amending, saving, or necessary victualling of a ship against the ship itself, and not against any party by name, but such as for his interest makes himself a party, no prohibition is to be granted, though this be done within the realm.

4. Likewise the admiral may inquire of, and redress all annoyances and obstructions in all navigable rivers, beneath the first bridges that are any impediments to navigation, or passage to, or from the sea; and also try personal contracts, and injuries done there, which concern navigation upon the sea; And no prohibition is to be granted in such cases.

5. If any be imprisoned, and upon Habeas Corpus, if any of these be the cause of the imprisonment, and that be so certified, the party shall be remanded.

Signed,

|                    |                 |                  |
|--------------------|-----------------|------------------|
| Thomas Richardson, | John Denham,    | Robert Barkley,  |
| Robert Heath,      | Richard Hutton, | Francis Crawley, |
| Thomas Trevor,     | William Jones,  | Henry Marten,    |
| George Vernon,     | George Croke,   | William Noye.    |
| Humphry Davenport, | James Weston,   |                  |

Examinat. T. MEAUTYS,

*At Whitehall, the twenty-second of February, 1632.*

PRESENT,

|                          |                           |
|--------------------------|---------------------------|
| Lord Keeper,             | Lord Viscount Falkland,   |
| Lord Archbishop of York, | Lord Cottington,          |
| Lord Privy-Seal,         | Lord Newburgh,            |
| Earl Marshal,            | Mr. Treasurer,            |
| Lord Chamberlain,        | Mr. Comptroller,          |
| Earl of Salisbury,       | Mr. Secretary Coke,       |
| Lord Viscount Wentworth, | Mr. Secretary Windebanck. |

It was this day thought fit and ordered, that such prohibitions as have been sent into the admiralty-court, from any of his majesty's courts at Westminster, falling under the rules contained in the articles agreed on, and signed in his majesty's presence, the eighteenth of this instant, as well by all the judges of his majesty's said courts at Westminster, as by his judge of the admiralty, and his attorney-general, should be withdrawn, and superseded; whereof the judges of the said courts, from whence such prohibitions have issued, are hereby prayed and required to take knowledge, and to give order therein accordingly.

Examinat. MEAUTYS.

*The Jurisdiction of the Court of Admiralty settled.*

THE lords and commons assembled in parliament, finding many inconveniences daily to arise, in relation both to the trade of this kingdom, and to the commerce with foreign parts, through the uncertainty of jurisdiction, in the trial of maritime causes, do ordain, and be it ordained, by authority of parliament, that the court of admiralty shall have cognisance and jurisdiction against the ship or vessel, with the tackle, apparel, and furniture thereof, in all causes, which concern the repairing, victualling, and furnishing provisions, for the setting of such ships or vessels to sea, and in all cases of bottomry; and likewise, in all cases of contracts made beyond the seas, concerning shipping or navigation, or damages happening thereon, or arising at sea in any voyage; and likewise, in all cases of charter-parties, or contracts for freight, bills of lading, mariners wages, or damages on goods laden on board ships, or other damages done by one ship or vessel to another, or by anchors, or want of laying of buoys; except, always, that the said court of admiralty shall not hold pleas, or admit actions upon any bills of exchange, or accounts betwixt merchant and merchant, or their factors.

And be it ordained, that, in all and every the matters aforesaid, the said admiralty-court shall and may proceed, and take recognisances in due form, and hear, examine, and finally end, decree, sentence, and determine the same, according to the laws and customs of the sea, and put the same decrees and sentences in execution, without any let, trouble or impeachment whatsoever, any law,

statute, or usage to the contrary heretofore made, in any wise, notwithstanding; saving always, and reserving to all and every person and persons, that shall find or think themselves aggrieved by any sentence definitive or decree, having the force of a definitive sentence, or importing a damage not to be repaired in the definitive sentence, given or interposed in the court of admiralty, in all or any of the cases aforesaid, their right of appeal, in such form as hath heretofore been used, from such decrees or sentences in the said court of admiralty.

### TO THE KING'S MOST EXCELLENT MAJESTY.

*The humble Petition of several Merchants, Owners, and Masters of Ships, Victuallers, and Material-men, belonging to the City and Port of London.*

*Sheweth,*

THAT it has been anciently the wisdom of the kings of England, your majesty's most royal progenitors, so to provide for the wealth and good of commerce, and navigation, as to give it all encouragement, and to remove all obstructions from it, your wealth, happiness, and honour much consisting in it.

And more particularly, your majesty's most royal father of blessed memory, in the year 1632, taking notice of some differences, concerning prohibitions then arisen, betwixt his majesty's then courts at Westminster, and his majesty's court of admiralty, was graciously pleased to hear them himself in full council, and upon full debate thereof had, the eighteenth of February, 1632, propositions for accommodating thereof were by his majesty and the board resolved upon, and upon reading thereof, as well before the judges of his majesty's court at Westminster-hall, as before the judge of his highness's said court of admiralty, and his attorney-general, agreed unto, and subsigned by them all, in his majesty's presence, and entered in the council-book, and the original to remain in the council-chest, a copy of which order, agreement, and propositions is hereunto annexed.

That the same order, so made by your majesties said royal father, and the board, and agreed unto, and subscribed by all the then judges of England, did very much tend to the advancement of the navigation and commerce of this nation, to the encouragement both of the merchants and seamen, to the credit of shipping, with the material-men, to the furtherance of ship-masters, and building of ships, the wooden walls of the kingdom, and to the keeping a right understanding abroad; for that the foreign contracts made beyond the sea, and the matter of charter-parties for voyages, all ship-building, repairing, victualling of ships, mariners wages, and other matters of mere admiralty, did from thenceforth proceed in their due course in the said court of admiralty, by the rule of the civil and maritime laws, well known abroad as well as here, and that without either being prohibited or interrupted: By which encouragement, and for that as well

the people here, as foreigners, had speedy justice in the admiralty, by one common rule, well known to them all, more ships were builded, freighted, set out to sea, more voyages and returns made, commerce flourished, the wealth of the kingdom increased, and his late majesty's customs and revenues were advanced.

But forasmuch as there have been of late obstructions arisen by the grant of prohibitions, in causes of charter-parties, repairing and building of ships, mariners wages, and other the causes and cases so settled as aforesaid, by his late majesty and the board, with the consent and agreement of all the then judges; your petitioners do sensibly perceive, that unless, by the piety and wisdom of your majesty, your majesty's court of admiralty be established in its jurisdiction, that it may minister due justice, in all these and other cases of admiralty, without being prohibited, or obstructed, the building of ships will be discouraged, the material-men will not trust upon the credit of the ship, fewer voyages to sea and returns from thence will be made, trade and a right understanding abroad, especially since all such causes and matters are abroad referred to the admiralty, will decrease; and your majesty's customs be lessened, and ship-masters, and seamen, as well as merchants be damaged, and much more inconveniences ensue also.

The petitioners, who do heartily, upon their bended knees, bless God for your majesty's most happy and glorious restoration to your crowns and kingdoms, and do humbly and devotedly pray, that the same may flourish, and that your majesty may enjoy a long, peaceable, and prosperous reign, do humbly submit it to your majesty's most wise and prudent consideration, whether your majesty, in a matter of this universal concernment, will not be pleased, upon the perusal of the said order annexed, to tread in your majesty's most royal father's steps, and to call your majesty's judges, or such others as your majesty shall hold requisite to be present, at your majesty's council-board, and cause the said former order to be renewed and confirmed, and to be inviolably observed, that your majesty will in your own great wisdom do therein, for the good of your kingdoms, commerce, shipping, and navigation, as to your majesty shall seem requisite.

And your petitioners shall ever pray.

|                      |                   |                   |
|----------------------|-------------------|-------------------|
| William Batten,      | William Wilde,    | Tho. Gates,       |
| William Penn,        | James Modyford,   | Joshua Waters,    |
| William Rider,       | Robert Lant,      | William Clarke,   |
| Nicholas Harlestone, | Gregory Wescomb,  | Robert Wood,      |
| Lawrence Moyer,      | William Wescomb,  | George Percy,     |
| Brian Harrison,      | Nicholas Warren,  | John Frederick,   |
| Edward Jonson,       | Richard Lant,     | Thomas Bludworth, |
| Daniel Gates,        | James St. Hill,   | Thomas Brodrick,  |
| John Lainbery,       | John Marshal,     | John Bull,        |
| Thomas White,        | John Harbin,      | Richard Wescomb,  |
| Thomas Harman,       | Philip Paine,     | John Mascal,      |
| John Casse,          | William Wood,     | David Skinner,    |
| John Prowd,          | Nicholas Bradley, | Thomas Andrews,   |
| John Swanley,        | William Green,    | John Lemkuele,    |

|                      |                     |                              |
|----------------------|---------------------|------------------------------|
| Lawrence Blancart,   | Thomas Davies,      | John Heath,                  |
| Thomas Bantry,       | William Walker,     | Edward Wambwel,              |
| Godfrey Lee,         | Rich. Adams,        | Anthony Nicholetts,          |
| John Page,           | Robert Ellis,       | Edward Lewes,                |
| Christopher Boone,   | Charles Bennet,     | Thomas Culling,              |
| Peter Vandeput,      | Edward Lopegood,    | Richard David,               |
| John Moone,          | Nicholas Meade,     | James Young,                 |
| Alexander Bence,     | Samuel Put,         | Nathaniel Tenche,            |
| John Soame,          | Thomas Canham,      | George Maryet,               |
| Charles Michel,      | Timothy Alsop,      | Richard Church, <i>junr.</i> |
| Nathaniel Houldings, | Thomas Tyte,        | Nathaniel Townsend,          |
| Peter Leare,         | Daniel Ford,        | Jacob Wachter,               |
| Richard Ford,        | Robert Hooker,      | Peter Heningbrook,           |
| John Jollife,        | Nicholas Corsellis, | Robert Gale,                 |
| Robert Canning,      | Peter Proby,        | Gerard Weyman,               |
| John Harris,         | Andrew King,        | Nicholas Skinner,            |
| Thomas Warren,       | George Smith,       | Edward Bouvery,              |
| Joseph Debins,       | John Dickens,       | Michael Godfrey,             |
| Joseph Campbell,     | William Parker,     | Andrew West.                 |

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## TAXES NO CHARGE:

### IN A LETTER FROM A GENTLEMAN TO A PERSON OF QUALITY;

SHewing THE

NATURE, USE, AND BENEFIT, OF TAXES IN THIS KINGDOM,  
AND COMPARED WITH THE IMPOSITIONS OF FOREIGN STATES,

TOGETHER WITH

THEIR IMPROVEMENT OF TRADE IN TIME OF WAR.

*Licensed, Nov. 11, 1689. London, printed for R. Chiswell, at the  
Rose and Crown in St. Paul's Church-yard. 1690.*

Quarto, containing thirty-four pages.

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### The PREFACE to the READER.

**U**PON the receipt of the following letter, concerning the nature of taxes, and levying of money upon the subject, I immediately resolved to commit it to the press, as conceiving that it might be instrumental towards the removal of that popular argument, which the malecontents of the age are so industrious to instil into the minds of the common sort, *viz.* That frequent taxes are an insupportable grievance and oppression to the nation; and this by so much they the more successfully propagate, by how much it is a received opinion

among the populace, and such as, either for want of parts, or not accustomed to serious reflexions, have not thoroughly considered this affair: Whence it comes to pass, that this vulgar error has obtained so general a consent and approbation, that it needs not to be much inculcated. This the disaffected party to the present government are sufficiently sensible of, and therefore are not unactive in the establishment of an untruth, which has the advantage of making a deep impression upon such, whose biassed and prejudicate sentiments render them fit objects of their design. *Sed dato, & non concesso*, but supposing, and not granting, that taxes were really a burden to the nation, yet, if it be true, that *e malis minimum*, of two evils the least is to be chosen, it will thence follow, that it is better for the kingdom to have purchased its redemption from popery and arbitrary power, though at the price of some part of the estates and fortunes of the subject, rather than to have lost all at one throw by a tyrannical invasion upon their religion, laws, and liberties. I presume, that even some of those busy agents, who sow these seeds of discord and division among us, would have been content to have bought their safety almost at any rate, whilst the storm was imminent; and, now that it is happily blown over, and nothing appears at present, but a serene sky and fair weather, why should they either endeavour a reduction both of themselves and others to their former danger (to which their turbulent devices do immediately tend) or strive to create unreasonable dissatisfactions against so just an expedient, as each one's discharging a few pence for an insurance of the publick peace, and quiet settlement of the nation?

It is, surely, very unaccountable, that those men, who discovered so great an alacrity and forwardness in opposing of popish tyranny and arbitrary power, should now endeavour to enslave us under the same uneasy yoke, but with this additional aggravation to our former servitude, that, whereas we were then allowed some, we must now make brick without straw. This seems so wild a notion of obedience (the result of the passive doctrine) and that the chief wheel in that unaccountable engine of absolute sovereignty, as is destructive of all government, inasmuch as it is utterly irreconcilable with the preservation and common interest of human society. But these murmuring, seditious spirits, after shamefully retracting from their early officiousness, in their encouragement of the late expedition of the then Prince of Orange, are not content with a complete enjoyment of their properties, under the even steerage of this great and skilful pilot, who so justly manages the helm of the present government, as not to invade the rights of any man; nor yet to retain their particular sentiments within their own breasts, but they must needs vent and divulge them to others, by which they become the publick incendiaries of the nation. But, as I cannot enough admire both the folly and ingratitude of these men, who strive to disseminate so poisonous a contagion; so have I not room left for wonder and surprise, to observe divers innocent, well-meaning persons so unwarily caught and infected by it, when, not many months ago, their lives, religion, liberties, all

that was dear or acceptable unto them, lay apparently at stake : For, which, I pray, do they account the more advantageous ? Whether their properties to be infringed, their religion violated, their laws subverted, their estates confiscated, and they, with their wives, children, and relations, to be exposed to the fiery trial ? Or to be seasonably freed from these amazing terrors, ready to overwhelm them in a full career, when they received a signal and miraculous, as well as a gracious deliverance, and that as much above their hopes, as it has since appeared to be beyond their desert ?

What would not every honest man, or good Christian, have given, at that time, to have had that security under his own vine, and under his own fig-tree, the liberty of his religion, the full enjoyment of his property, and an equal and just administration of the laws, which he enjoys under the benign influence and protection of the present government ? And then, with what face can he deny to contribute his respective share and proportion, not only to the assuring of his own particular right, but also that of the general interest, together with what is infinitely preferable to either, the Protestant religion in the three kingdoms ?

All this, and much more, which might be offered, and insisted upon (were not prolixity improper in a preface, especially to so small a discourse, as is that of the following letter) seems exceeding reasonable upon the former hypothesis, if taxes were really a burden and oppression to the nation ; which the following sheets do abundantly evince that they are not, by shewing, that they are so far from being a diminution of, that they really add to the trade and riches of a state.

This the author has fully proved, from the opulent condition of those countries where taxes are most numerous ; and, after several copious parallel instances, derived from foreign monarchies and republicks, shewing their great advancement by taxes and frequent levies upon the subject, he undertakes to demonstrate the practicality, as well as equal advantage of the same to these kingdoms. This I thought to be of such seasonable and publick importance, in reference to the present state of affairs, as well in order to the rectifying the aforementioned general prejudice and mistake, as to the silencing of all intemperate and unreasonable murmurers against the proceedings of the grand council of the nation, in the methods taken for a supply of the naval and land-forces, that I thought fit to usher it into publick view, as considering that, if these men, who most inveigh against taxes, could be brought to believe, that they naturally tend to the advantage and interest of the state, and do really conduce to the enriching and improvement of it, they must needs cease from their seditious clamours against, and satirical reflexions upon the government, in this respect : And that this would not be the sole advantage which would accrue from the clearing up of this mistake, but that all honest and good men will join more cordially than ever in their unanimous and chearful contributions to its support, when they are made sensible, that not only the common duty of subjects (that indispensable obligation of a perpetual gratitude, which they owe to

their deliverer) and the natural instinct of self-preservation ought to quicken and excite them thereunto ; but, besides all this, that they are really gainers by this course, and, consequently, what they expend upon that account does, after a due circulation, return to them with a considerable improvement and augmentation.

*Worthy Sir,*

PURSUANT to my promise, at our late conference, I here present you with a short Essay, concerning Taxes, which I submit to your private censure, and shall not limit you from sending it to the press, if, in your opinion, it may prove serviceable to the publick.

That tribute, or, as we now call it, customs, taxes, &c. were originally a mark of servitude, is evidenced by the interrogatory of an infallible author, ‘ Of whom do the princes of the earth take tribute ?’

But, as government became more humane, the savage exaction upon strangers, was less rigid ; and the Romans, who were then masters of civil government in the world, found it conducing to the establishment of that overgrown, and prodigious empire, to make every part of their conquest easy to the people, and that, in point of taxes, they should be universally equal, which seems to be confirmed by that of Augustus, when he ordered all the world to be taxed ; wherein we find no exemption of a Roman above others. They were, indeed, invested in divers other privileges, but, in the matter of taxes, we find the wisdom of that empire to make no distinction from any that were under their conquest and government.

In imitation of whose equal and prudent conduct, all succeeding governments have been guided in tempering of their conquests, and not, as in the first ages, making both persons and estates the purchase of victory. By this means, civilities, laws, and christianity have been propagated in the world with that advantageous success, to which they could never have attained, if conquest had been pursued, and employed as in former ages, in all the inhuman acts of slavery, violence, and rapine.

The Romans were the first we read of, that regularly paid their armies ; before them, the Barbarians might sometimes divide the spoil of their enemies, and other savage ways they had, to satisfy their herds of men, but no exact payments were in use, until the Romans ; and, for the maintenance and encouragement of so good a government, they imposed taxes, that so, in intervals of peace, their armies might not be exposed to the necessity of committing the like ravage, they did in times of war, and publick hostility.

They soon became artists in taxing the people, inventing ways to bring in money. That of Augustus Cæsar, in taxing the whole empire, seemed to be in the manner of a poll with us. There was also a tribute imposed upon passengers, going from place to place, and a custom levied upon goods and merchandise.

They had also an art of raising money from aliens, upon the account of being admitted to the privileges of Romans ; and many other ways and devices they had to advance money, which, if duly considered,



was the chief, if not only reason, why they were so famed in the world for good government, because that they paid their army and ministers of state so well, that they lay not under the temptation of violence or bribery.

I shall here come to a close, in relation to taxes and impositions, under the heathen Roman emperors; and only, in order to the making good my position, that taxes are no charge, infer from this done by the Romans, that it was none in their days, inasmuch as it kept the people from violence, and ravage of the soldiers, and the worse exactions and corruptions of civil magistrates.

We will now make an enquiry into the taxes and impositions of Christian princes, and then compare them with those of these kingdoms.

*First*, Then let us look into the impositions of commonwealths. The greatest and most ancient is Venice. None will say that they are a poor state, though all must own that they lie under heavy taxes, insomuch that it is believed in those countries, that the Christians under the Turks are subject to less impositions, than such as live under the Venetians; where, besides great customs upon all merchandise, they pay excise for every bit of bread and meat, nay, for the very salt they eat; and, after all this, the poorest labourer pays his poll-money. And yet, where is there a richer people? And no government, either Christian or heathen, in the known world of such antiquity, and without charge, though pestered with continual wars, at one time, for the space of seven years, had all the Christian princes in Europe in a league and war against them, except England.

We will mention the next commonwealth, in power and riches, the United Provinces. I need not particularise their taxes; few there are of our kingdoms, but know them; and that they are so great, that it is believed, the poorest labouring man in Holland adds to their *intrado* four pounds sterling a year, so great is the excise on every thing they eat or drink; besides, upon the occasion of any war, it is usual to raise the fortieth penny upon their whole estates; yet these people vie with all nations, in matter of trade and riches; and it is matter of controversy, which of the two, whether they, or Venice, in proportion to their extents of land, are the richer. They of Holland out-do them in their common people, as to wealth and coin. Now, then, it must be allowed, that taxes there do no harm, since the very peasants, *bores* they call them, are so rich, as frequently to give a tun of gold, which is ten-thousand pounds of our money, in portion with their daughters.

The naming of these two commonwealths may serve for all under that distinction. I shall now come to taxes under monarchs. To nominate some few, as instances to supply the rest, I will begin with the Empire, where taxes are generally low, and consequently the people poor; for it will be so, as I shall hereafter demonstrate, wherever the rich gentry and others have nothing to fetch money out of their coffers, but their own expence, by which the commonalty can have little opportunity to improve themselves.

Spain follows much the steps of the Empire in their taxes; and, although there are numerous causes assigned for the poverty of that part particularly, under the name of Spain, yet, that of their irregular and uncertain taxes does powerfully contribute to the indigent state of that kingdom; for that the country cannot be planted, by reason of the armies living upon the spoil of it, not having a penny pay for six months together; by which means, the country feels little difference from the conquest of their enemies, and the quartering their own forces.

Portugal is more craving in its taxes, impositions being heavy on importations, which are of the worst sort, yet better than none; and, seeing it raises a considerable revenue, their army and officers of state are well paid, and their country much richer, and more populous than Spain, that borders upon them.

I shall put a period to that part of my discourse, referring to the taxes of foreign princes, with that of France, which is rather the abhorrence, than example of any Christian prince; his tyrannical impositions being grown to an unlimited exaction upon all men, both sacred and civil; and yet so, if the barbarity of the thing could have been separated from the effect, those unbounded taxes would not have impoverished the country; if the money had not been spent out of his own dominions in foreign conquests, which rarely prove beneficial to the country that invades.

If we consider France, in the beginning of their invasions on their neighbours, we shall find them not so rich as they were seven years after, notwithstanding that great part of their taxes were sent out of the kingdom to raise men, and more spent in paying the army in the enemy's country, and buying of towns. Now, at first view, this may seem strange and unaccountable, that impositions upon a people, and a great part of them carried out of their country, should make them thrive: Yet, notwithstanding this seeming paradox, it is a certain truth, as, in the sequel of the discourse, will be fully evident. And, that France might have managed a war with all Europe, and not have beggared the kingdom, as now it is, if they had not destroyed it by their fierce persecution of the Hugonots; for that has evidently been the ruin of that kingdom. Whereas, had the French Protestants been encouraged and maintained in their rights and religion, they would have been their best and most loyal men, both in peace and war: for so they proved in the minority of this king, in the general defection of France; and, had they been now possessed of their religion and rights of France, it is to be feared, we had not so easily commanded the seas, most of the French seamen being of that profession.

We now come to compare the taxes of these kingdoms with those of foreign princes; and, to save multiplying of words, will reduce all under two heads:

*First*, The laws and manner of imposing taxes upon their subjects: and,

*Secondly*, The *quantum* and duration of such taxes.

For the first, The laws and manner of imposing taxes: That is as

different as the climates which they are under. I shall not trouble myself, or the reader, with naming of all the kingdoms in Europe, but shall only instance some of the most considerable; in order whereunto, I shall begin with Germany, the impositions of which country may be brought under two heads: That of the tenure and obligation of the princes, nobility, and free cities, to furnish a certain number of men in the wars against the Turk.

The second, By levying money in the dyets, neither of which, if compared with those of England, can be thought easy. That of furnishing men is little better than tyrannical in the lords and nobles, who arbitrarily force their tenants, and perhaps neighbours, to complete their numbers, without any relief in the greatest abuse, having none to make complaint or application to, to redress their grievances and violent usage. Then, for their dyets, they are so few for the commonalty, and so much influenced and overpowered by the predominant interest of their grandees, that the impositions can hardly be laid with any equal or just regard to, or right consideration of the poor.

Taxes in Spain are yet more arbitrarily imposed, the people having no vote there, but all the duties laid in effect by the king and his council. In some cases they will advise with the nobility and other communities, but it is no more than mere compliment, or matter of form; for, whatsoever the king and council enact, that they must acquiesce and agree to; and the truth is, it appears so by their irregular, vexatious, and yet most unprofitable way of taxes, in which they are much short and inferior to any government in Europe.

France makes a fair shew to the people, and yet makes a better market for the king. He imposes duties under the pretence of the parliaments of each province laying it on the people; but, at the same time, it is only the king's word that makes the ordinance of parliament; not as here in England, where it comes last to the king, for the royal assent: But there the king sends the parliament word, that he will have so much money; and all the favour, that they can obtain from him, is, to place it on such commodities, or ways, as they think most expedient.

And it is not unworthy observation to remark, that these parliaments of France are, in effect, no more than courts of judicature, in matters of right, betwixt man and man, hearing and judging causes, and their places bought from the king, not elected by the people. So that, from such parliaments, nothing can be expected but the king's dictates.

The great Duke of Muscovy is above all tyrannical in his impositions, charging on the subject what he pleases; and yet, which is more oppressive to his people, forestalls the chief-commodities of the kingdom, or what comes from others, and sets what price he thinks fit upon them, by which he destroys his own merchants and dealers; and where other kings make themselves, and their subjects, rich, by raising money on them, he makes himself poor, and his subjects miserable slaves, barring them of all industry, by shutting them out from trade, and agreeably to such oppressions, his vast

dominions are thinly planted, and poor to a prodigy; and, had they the liberty of seeing other countries, he would yet have a smaller stock of inhabitants; but he keeps what he has, by making it death for all the kindred of such as go out of his dominions, without his license and permission.

Next to him, in arbitrary impositions, is the Duke of Florence, who is not bounded in his taxes, and likewise ingrosses several trades, and sets what price he pleases, upon his own commodities; by which his country would also be made poor, but that he has the opportunity of other helps, which the Great Duke of Muscovy is not assisted with, *viz.* a country placed in the garden of the world; and, by his making Leghorn a free port, made it the center of trade, and by that, got the start of all princes in Europe.

The kingdom of Sweden has many advantages of raising money from the country, rather than people, and yet they are not exempt from taxes; all which contributes to the enriching of that kingdom, which has little of arts or trade to improve it, only that which nature produces; and she indeed has been liberal to that great kingdom, in mines of all sorts, though least of gold or silver; but abounds in copper, tin, iron, &c. of all which, the king has a tenth, as also of cattle and corn; he has likewise the vast demesns of bishops and church-lands, out of which he only allows a small competency to his own bishops, and after all this, he has liberty, by the laws of the land, to raise money on the subject, in case of war.

The King of Poland is restrained, and can do nothing, but by the decree of the dyet; yet has, by that, power, upon occasion of sudden streights and emergencies in war, to raise money upon the people, by his own command, without assembling the dyet.

Denmark has a provision for its support, above any kingdom in Europe, God Almighty having, as it were, out of a particular providence, supplied that kingdom, out of its own production, seeing there is little in it, either of arts or nature.

The toll of the Sound is a considerable revenue to the crown, and, as before-mentioned, such as no prince in Europe has the like, for that, in all other kingdoms, taxes are raised on themselves; but this of the toll from ships, passing the Sound, is from strangers that only pass by his country, and cannot reimburse themselves there: Whereas duties imposed on foreigners, that bring in their commodities to another country, is no more, than laying it on themselves, only with this difference, that they make foreigners the first collectors of it.

The other duties on Denmark are not considerable; that on cattle, which they sell in Germany, is of most value; as their *intrado* is not great, so is their country poor.

I need not mention the manner of laying taxes in commonwealths; it is always with the consent of the people, who are too apt to censure their representatives, if they give not satisfaction to the populace.

And, notwithstanding that of Venice is aristocratical, yet have they such numbers in their senate, that no tax can be laid, but for the

good of the commonwealth, there being, at least, two thousand five hundred gentlemen of Venice, which are all the senate; and although many of them are engaged in the wars, and foreign employments, yet there can never be less, if but one quarter of them, than our great council the parliament.

Thus I have given but a succinct account of the nature and impositions of taxes in foreign kingdoms, which now in a few words let us compare ours with, and we shall see how happy a people we are above the best of our neighbours.

And first, let us consider who it is that lay impositions upon us: It is men chose by ourselves.

The difference indeed is great, in the *modus* of our taxes from other kingdoms, and also in the use of them. For the *modus* in other kingdoms, they generally consider only the nobility and gentry, that impositions may not touch or affect them, and care not how insupportable or grievous they are to the commonalty: but with us the taxes reach every man in proportion to his quality and expence.

In other kingdoms they place taxes only to raise money, and have no regard to the trade of their kingdoms, that so their taxes may not prejudice their commerce. But in England, care is always had, that impositions may not impede our trade and manufactories.

Now, as to the use and employment of taxes in other kingdoms, they also differ much from ours.

In some kingdoms they are imposed to enslave the people, and keep them poor, as in Muscovy; in other parts taxes are laid to enrich the nobility, as in Poland; in others, to fill the coffers of the prince, as in Florence.

Whereas none of these uses take up our taxes; they are with great care and caution laid out, and by the same law that raises them, appropriated for a particular service, and last no longer upon the people, than the necessity of the nation requires; for that we never have money raised, but for the defence of the kingdom; though, as I shall shew in the close of this discourse, it would redound to the advantage of the kingdom, if there were more taxes raised, and these assigned to publick uses in peace as well as war.

I shall now come to the chief design of this discourse, which is, to demonstrate, that taxes are no charge either to the kingdom in general, or to particular persons; but, on the contrary, again to all.

But to render this matter the more plain and intelligible, I shall proceed after the following method:

- I. Shew who in the kingdom pay the greatest part of the taxes.
- II. What use is made of these taxes; and how they circulate in the kingdom.
- III. How trade is improved by taxes.
- IV. That the poor are employed by them.
- V. That a set of men, of no use in the kingdom, are by taxes made profitable in the commonwealth.
- VI. That taxes, especially when trade is stopped by war, is the only remedy to keep the trading and mechanick hands of the kingdom employed.

VII. That taxes will enrich the nation, and disperse in it as much treasure, when there is no foreign trade, as when it is open.

To begin then with the first head, who it is that pay most of the taxes: they are the worst members in the commonwealth, *viz.* the extravagant and debauched. The greatest duties are, or should be, laid upon commodities for pleasure and sumptuousness, as silks, gold and silver lace, &c. Now these are wore in the greatest excess, by the extravagant of the kingdom, both men and women. A debauchee shall spend more out of an estate of a thousand pounds a year, than a regular man will from the annual income of five times that proportion; and a miss lay out more on cloaths, than a countess. So in the excess to indulge the belly, as well as providing for the back. The vast consumption of wines and strong liquors is by this sort of men; nay, the poorest debauch, that can rise no higher than to beer and tobacco, pays ten times as much in the year, in proportion to his income, as the greatest peer. It will hardly gain belief, that there are many of the meaner people, labourers and mechanicks, that by their expence, when they are, as too many be, extravagant, pay to the publick taxes, above one tenth of their daily profit: As, supposing that a labouring man may earn sixteen pounds a year, he will expend, though not very extraordinarily profuse, one half of it in drink and tobacco, upon which, the duty of customs and excise is, at least, two pounds of the eight, which he lays out in idle expences. Now, it would be vehemently decried and exclaimed against, as the greatest oppression upon the poor imaginable, if by a poll or land-tax, this man, that virtually pays forty shillings, should actually, and above-board, pay so many pence in the year.

Thus we see, that most of the duties and impositions on the kingdom light upon such as do least good with their substance; and since they imprudently fling it away upon their extravagancies, it is certainly a benefit to the kingdom, that there are taxes, to catch something out of it, for the improvement of better disposed men; as we shall see in the next paragraph.

The second particular is, what use is made of these taxes; and how they circulate in the kingdom. In order to which, there are but two ways, in which they are employed; one is for the king's court, the other for provisions of war, in the maintenance of naval and land forces. Now, both these are as well the employment of trade and artisans, as they resolve into the security of the kingdom, and the preservation of the publick peace. There is no money which circulates so fast, as that which comes into the hands of seamen and soldiers. Other men, that get money, frequently lay it up, and so it becomes of no use or benefit in the kingdom: but men, that live by their pay, generally spend it faster than it comes in, by which means the money of the kingdom, like the blood in the veins, has its regular; circular motion, and every member of the body is warmed and refreshed by it, which gives life and motion in the whole. And this, I presume, this second instance of the use of taxes proves, that they are of advantage and profit to the kingdom.

Thirdly, How trade is improved by taxes. Upon this head, there

is much to be said ; and, first, it will be requisite to say something of the nature of trade, how it affects the kingdom ; for that trade may in some cases prejudice a nation, and make it poor ; as the trade of Spain does that kingdom. Trade may also effeminate and debauch a country, as it does Italy.

Now, it is certain, that we are not free from both these publick mischiefs and inconveniences in England ; though our fortune is such, that being islanders, and masters of one commodity, which no kingdom has in that perfection as ourselves, which is wool, that hath put our people upon manufactories, which is the treasure of this nation, and keeps our exports to a balance with our imports ; otherwise, this kingdom would have been as poor as Spain, and as effeminate as Italy ; but the employment of our milder sort in manufactories at home, and the more robust, at sea abroad, keeps us a people in action, and so preserved from the luxury and effeminateness of Italy, and the poverty of Spain. I need not spend time to prove how far we are tainted with the mischiefs before-mentioned. Our trade with France, in all ages past, sufficiently proves, that a kingdom may be made poor by trade ; as we should have been by the vast treasure, their linens, wine, silks, toys, and salt, drew from this kingdom, if our other commerce in the world, had not balanced our loss there.

Nor are we free from the effeminateness of Italy, which I take to be the returns of our gentry's travels ; a mischief to be lamented, rather than expected a reformation of, since we are arrived to that height of vanity, as to think that man not accomplished, who is not become master of the delicacies of Italy, and extravagant modes of France.

But to return to my province, how trade is improved by taxes. For the proof of which assertion, it seems plain, that some trade may impair a kingdom, and such taxes and impositions may abate, by imposing such duties as they cannot bear. So far then it will be allowed, that they improve trade, as we commonly say, saving is gain : So ; if we keep out a destructive trade by duties, we may allow that an improvement of our own.

But to come nearer to the matter : taxes improve trade, by employing numbers of idle men in naval and land-service, that would otherwise be of no use, but, on the contrary, a pest and charge to the commonwealth. We seldom see any inlisted into the army, that are men of industry, or labour ; such persons are the wens and excrescencies of the commonwealth, that deform, but not strengthen the body ; and these being paid by the taxes of another sort of creatures, as, before I mentioned, are of no use in the state, but to throw abroad the treasure left them by their fathers, is virtually an improvement of trade ; for that all, like the rivers in the sea, terminate in the hands of industry and trades. And, perhaps, if duly considered, more men, and with more certain profit, make voyages within this island upon this fund, than there do to most of our foreign trades. And in this place I must touch again upon the nature of trade, to shew that private hands may raise their fortunes by a trade, that may yet be a loss to a kingdom, as in that of France, already insisted upon,

many, I was like to say, too many, have acquired great estates by. Now, all the hands, employed in that trade, were no better than robbers of the kingdom, in carrying away our treasure, as we use the Moors, giving us gold for glass beads.

There is another sort of trade, that, though it may not immediately carry away any of the stock of the kingdom, yet it does hurt in taking off hands, that might be employed to the advantage of the kingdom. Now, in both these, the trade of taxes, for so I will call it for the future, has the advantage, for that it carries nothing out of the kingdom, nor yet takes off hands that would be better employed but, on the contrary, takes away the disease of the country, idlers, and makes them at least so profitable, as to spend money, which they would not be able to do, if the publick revenue were not their stock.

Fourthly, The poor are employed by taxes, and are, by that means, taken off from being a charge to the kingdom. Many men of broken fortunes are brought into the hospital of the revenue, which may be so accounted, since it is generally filled with persons that are reduced to such necessities, as qualify them for charity.

This is one way, that taxes employ the poor, but not the main thing I mean; which is, that the trade of taxes employs the poor artisans and mechanicks, and that in a greater measure than our Virginia and plantation-trade, we, with so little reason, so much boast of, in these kingdoms.

By the observations I have always made in my traversing the world, I find, that those parts have been most opulent, and the people safest, that filled their own hives, and kept their swarms at home. That little commonwealth of Lucca to me seems a pattern for all the princes of Europe, and is as practicable in the greatest dominions, as that little spot, whose land and cities, having Lucca joined to it, are all circumscribed within the limits of six or seven miles square; yet in that compass they are able to raise about twenty-thousand horse and foot: a thing almost incredible, but known by all that have travelled that way, and were curious into such enquiries.

These people are of wonderful industry, and enrich themselves by their manufactories, which they go not abroad to seek a market for, but mind their work at home, and so become more considerable, than those that spend their time in travels; being, by their settled living, able to afford their commodities they make, cheaper than the Genoese and Florentines, their neighbours.

When I see in foreign parts, how rich and powerful a little seignory, commonwealth, or state, is made by husbanding their people, I often lament the misfortunes of my native country, that might certainly abound with the greatest, and most formidable people in Europe, if they followed their steps. I have taken up some of your time in this discourse of trade, which may seem foreign to my subject of taxes; yet I must be obliged to do it in all my future arguments, because taxes both arise out of trade, and maintain trade.

To return then to where I left off, That the poor are employed by them in their several occupations. How many thousands of trades



men have we, that are supported by our land and sea forces, which could have no vent for their commodities, if they were not taken off at home? Saddles, bridles, swords, guns, &c. have no foreign market, yet they employ thousands of hands, who are paid by taxes.

Fifthly, There is a set of men, who, like rats in a cieling, live upon prey, and do no good in a commonwealth, which these taxes ferret out of their holes; those impositions, I mean, which our parliament has, with great wisdom, now laid on stocks by poll; for nothing but land-taxes will reach usurers and misers, who spend nothing but for the supply of the necessities of nature. Now these men are the moths of the country, it being more mischievous to the kingdom in general to hoard up money, than for robbers to take it by force; and, though the law protects these silent thieves, yet they are real criminals, that lock up the tools of the industrious, many suffering through want, that could be profitable both to themselves and others, had they but money to set them at work. Usurers are, by too many, thought a vermin in the commonwealth; I cannot but have a better opinion of them, and think that the pest and plague of the nation is a sort of pious extortioners, who declaim against usury as unlawful gain, but will buy for half value any thing they can meet with from a person in extremity; and, next unto these, are such as adore their bags, and will, upon no terms, part with these deities; their bags are no thoroughfair, only a way in, but none out. These men are, by taxes made, against their wills, small benefactors to their country, and it were to be wished, that our great and wise council of the nation would yet pursue them farther, and lay a double imposition upon money locked up in chests, more than what is out at usury, which, being employed, is on the duty it was made for; but the other is in captivity, and the paltreon should be punished for his cruelty.

Sixthly, Taxes, especially in time of war, are the only preservation of all men employed in trades and manufactories; and, perhaps, not much inferior to foreign trade, if, in all respects, considered; for, as to what is spent in the kingdom, if it bring nothing in, yet it carries nothing out; and so far the taxes are profitable, in that the kingdom is not the poorer for money so raised, and so spent; and, in times of war, and prohibition of trade abroad, if money were not raised by taxes, and that employed amongst our mechanicks and manufactories, men would be forced to seek their bread abroad, and the loss of men is the greatest misfortune that can befall a kingdom. The practice of the Dutch, in burning their spices when they have such quantities as would lower the price, might be something in direction in this case, and seems a better government to employ all our hands in time of war, as fully in their manufactories, as ever they were in a free trade, though, when they were made, they were burnt, it being of dangerous consequence to discontinue trade. There is no adjourning labour; and mechanical arts, in a few months, will either lose the men, or they their trade by some other course of life.

*Seventhly*, That taxes make the kingdom rich, and, in time of war, disperse as much money in the nation, as trade does in time of peace.

Here I must touch again upon trade, and enquire what trade brings us in bullion, gold, or coin, for we have some of all, though, considering the value of our native commodities, it is wonderful that we should have so little; and that of those numerous trades which our navigation intitles us to, that we should, by carrying in our ships our own manufactories, out of all those advantages add so little to the treasure of the kingdom, and bring home no bullion but by our trade to Spain, and some little from the Levant, our Guiney trade, and, for some years past, buccaniers in the West-Indies. But that, which is our best fund, is the trade of Spain and Portugal; the former is made considerable to us by our East-India commodities, which fetch from Spain more than we send out in specie, though some believe the East-India company does us hurt, by carrying out the gold of the kingdom.

Now then, if the greatest part of our trade consists in bringing in commodity for commodity, then all the benefit of that trade is, that it gives employment to our common people in their mechanick arts; and, if we can do that by our own expence at home, it is more the profit of the kingdom, than by sending them abroad; for that we avoid the hazard of the sea, and other accidents abroad. It seems then, that taxes do that, since they issue forth money for payment of our artisans and mechanicks, that are employed in making commodities for our own use, and at the same time enough for that foreign trade, which furnishes us with bullion; and by that it appears that we are much greater gainers by the trade of taxes, than by all our foreign trade, which brings in nothing but commodity for our own expence. We see that the care of our parliament is, to prevent the importation of foreign commodities, and to encourage that commerce, which brings us in money for our own. This, then, is the surest trade, I know for that purpose, of laying such impositions as may fetch out the misers hoards, which are as remote and foreign to the employments of the kingdom, as those in the mines at the Indies; and I know no difference betwixt bringing treasure out of an iron chest by a good law, and plowing the seas, by long and dangerous voyages; only the advantage seems greater, by getting it from an enemy at home, than a friend abroad. But undoubted it is, that the kingdom is as much increased in its common stock, as is brought out from the moneyed men. It would exceed the limits of a letter to evince, what I am morally sure of, that the poll and land-taxes, passed this last session, have actually brought into the bank of trade, more ready money than came into the kingdom, during the late king's unhappy reign; and it is a vulgar error, to believe that taxes, even to the meanest man, is a charge, for that his mite is, with increase, returned by the expence of that, which would never have seen day, but by the force of a law; so that publick taxes, expended in our own country, may be accounted the poor and the mechanick's bank, by which they are employed and maintained; and, as the

meaner sort have advantage by taxes, so have they of better quality; the landlord has his rent the better paid by the quick returns of money; the merchants, and other traders, find it in their payments and receipts; the country-farmer in the sale of his corn and cattle. For this is certain, that most men's expence, either in cloaths or food, is according to their money or fortune, not appetite or vanity; many men content, or rather confine themselves to a three-penny ordinary, that would spend twelve-pence, if they had it. So that, after all the noise and clamour that is made in the kingdom, inveighing literally against the heavy taxes, which are on the subject, this unreasonable declaiming is made for them that no man loves, the griping misers, that hoard up money. For he, indeed, seems only aggrieved that pays out to support trade, in which, he never had the heart to do good; and even this man would be a gainer too by taxes, if he were not separate from human society, and trusted neither God, nor man; whatever he has to do in the world, is, to see that he runs no hazard in it, and whoever he deals with must be sure to him, though he cannot be so to himself. And, besides this extreme earth-worm that hoards, there is another set of men, that do little good in the commonwealth, and that is such as have more money by them than they can employ, and, perhaps, would gladly put it out to interest, but cannot: These are less faulty than the former, yet should be obliged to do some good with their treasures; and the best way seems, to lay a round tax upon that money. It is with reason believed, that there is now ten times the proportion of money in the kingdom, as was in the reign of King James the First; yet no more stirring in the kingdom, but what is brought out by customs and duties. Then, would it not be as beneficial to trade, by taxes upon the misers and hoarders of money before-mentioned, to fetch it out from them, as with ships, to get it from foreigners? We have rich mines at home, that may keep us in full trade these ten years, if we had none abroad; and nothing but such impositions, as may supply the want, of trade, can keep our artisans and manufactories together.

Thus, I have huddled together a mixed discourse, which, I fear, may be troublesome to collect and shape for your apprehension; but your greater judgment will unite its incongruities. I can only justify the matter to be, in the main of it, collections from the practice and usage of other places; for what relates to this nation, you are a better judge than I am, who am guided by the practice of trade, and that is, I doubt, too often exploded by ministers of state.

I confess the fatigues of government are above the conduct of a mercantile head; and, therefore, I acquiesce, without much enquiry into them, only sit often down with doubtful conjectures of the issue of our present affairs.

I mean not of the present distractions which an inconsiderable number of malecontents fling among us, whose profession more immediately obliges them to the characters of peace-makers, than it does other christians: These will cease with the Romish interest, that masks itself under them; but that, which I fear, is a distraction of the trades, manufactories, and industry of the nation, because I see

none concerned for it. The tumour of the times looks more like the rising of a camp, than improvement of trade and commerce; most men in court and city pursuing employments, civil or military, which I take to be an ill omen, and doubly to be blamed:

*First*, For men of fortune and employment in trade, to take away that which should be bread for the decayed man.

And then, *Secondly*, It is mischievous to the commonwealth, to have men, that can employ themselves in it, to be taken off from promoting the publick in their proper station.

Having thus run through the nature and use of taxes, with the reasons that seem persuasive, as to the great help they are to the support of this kingdom; you may, perhaps, expect I should say something of the way, how taxes may be most beneficially, and easily, laid; but, in that, I am barred by some impertinent pens, who are every day printing their follies; to which is added an unaccountable boldness, not to say more, by their designing to direct the great council of the nation. I could name several that have taken pains in this matter; but, omitting others, I cannot but name a paper I saw the other day, intitled, 'Proposals humbly offered to the consideration of this present parliament, being a soft and easy way for raising of money, in order to the perpetual maintaining and defending of this kingdom.'

The author there tells you, how the nation shall be supported by a miracle; and, if it were only so, I might not think it impossible. But, as our faith must be above reason, yet not against it, so I think are miracles; but, perhaps, that gentleman has another fund for his invention out of the Turk's opinion, that lunatics and idiots are inspired, and such may be thought so, that propose to break the most ancient tenure of England, and to raise up a treasure, which, to use his own words, nobody ever thought of before; a stock of honesty to pay fleets and armies: He is only short in not proposing a way, how to make that treasure saleable; for he, that has it, will not part with it; and they, who have it not, are seldom in love with it, nor will take it in payment, without the gentleman's token, that found out this unknown treasure.

I beg pardon for this digression, which I make only to shew the cause, why I am loth to croud in among the politicks, as he, that gives this advice to the parliament, often mentions.

But, though I dare not presume to direct the best and most profitable way of taxes, yet I will here name such as, I think, are not the most desirable, and then mention such as, in other parts of the world, are thought most agreeable.

For, such as I take to be uneasy to the people, and not most profitable to the state, are,

*First*, Those that are levied on the subject, by way of fees in offices. This, that in its original, was either to be a profit to the crown, in bringing in money to the king's exchequer, or an ease to the crown, in saving the charge of salaries, for officers about the law, &c. is now become neither. Perhaps, if an estimate was made, there

would be found some millions sterling, raised in this kingdom on offices, of which there comes not the thousandth part into the king's treasury; nor that which is more strange, not a penny saved of the king's charge, in maintaining those officers. Some have thousands a year, in fees and perquisites, that yet have a large salary from the king.

Others have offices, whose fees, when first established, would but afford an honest livelihood to the officer that officiated; but in process of time, it is advanced to ten times that value, and now is managed by a deputy, perhaps, for less than a twentieth part of the profit of the office. This seems a grievous tax, and would be thought so, if appropriated to any particular use of the crown: As for example, if the parliament should give a certain tax to the king, for maintaining a war with France; and this tax, contrary to expectation, amounted to five times the charge of that war, would it be thought reasonable for the king to demand a farther supply from the people? Or rather, would it not be thought equal, to ease the subject of so much of that tax, as is surplus to the charge.

The case seems parallel in offices, and if inquired into, there may be thought almost enough there to save the kingdom from other taxes; but I would not be understood to invade any man's property. The wisdom of the nation might find expedients to do a general good, without a particular injury to any man.

*Secondly*, Poll-money seems an unequal and unprofitable tax; unequal, if it be by a general way, all heads to pay alike, the cobbler with the lord; and unprofitable, if it be by distinction of qualities; for that it gives great opportunity of frauds in collection, and not without some, in point of estate and quality, broken men thinking it, and too often affecting a credit, by being returned in the poll-book of that value, which in truth they may not be.

*Thirdly*, Such, as are raised by benevolence, are the worst of taxes, and this of free gift is of double consideration: *First*, as it is from the subject to the prince, and then as it is from the people, one to another.

Benevolence from the subject to the prince is dangerous, in that it brings men under discrimination; he that gives not largely, perhaps, beyond his ability, will be looked upon as disaffected. And such is the unlimitedness of this way of taxing, that men have no rule, whereby they may be safe, but shall, it may be, be compared to men of twice their estates, or, that which is worse, with sycophants, fools of the times, who are extravagant in their contributions to that government, which refunds them equally to their service.

That of benevolence one to the other is a frequent tax in the kingdom, and in my opinion one of the greatest mistakes in our government.

There is nothing more common than this, given by authority, for losses by fire, and other general calamities. I seldom see it for losses at sea, though they are yearly much greater than those by fire. But to return, this way of raising money by benevolence, to relieve one another, is a tax on the best men, and an impunity on the worst.

Good men are apt to commiserate the necessities of their neighbours; when bad men too often rejoice at them, and seldom give any thing to relieve them. It is God only that can regulate the affections; man can compel the outward conformity. And there seems in nothing a greater want of the aid of government, than in this of payments to any publick use, the want of which renders honest men a sacrifice for uncharitable misers.

I have sometimes thought the collection for the poor at church-doors no better; for, till men be alike virtuous or vicious, that can be no equal levy, that leaves men at liberty. The government are best judges of what the poor should receive, and the rich pay; and if that were thought convenient, it seems to me most equal, where every one should give to the relief of his distressed neighbour, according to his worldly substance, not christian charity.

*Fourthly*, Impositions upon men, for their religion, seems no good way of taxes. Indeed, the truly conscientious man will think that well bestowed, which purchases the exercise of his religion, but that is no warrant for imposing it. We may say, under the gospel, that which David could not under the law: 'That he would not serve God with that which cost him nothing.'

I so much doubt my judgment in my own province, that I dare not intrude into that sacred one of divinity; but think it allowable to take any choice of opinions in this matter, and with those I join, that think no error, in fundamentals, should be allowed in a christian church, nor any difference, in circumstantial, purchased by money.

*Fifthly*, Monopolies are an ill way of raising money; for any set of people, to have the particular selling of any commodity, or using any arts, though they pay a great rent to the government, is yet a great prejudice and tax to the people, where no industry should be restrained.

Yet I am of opinion against them that think the Turkey, Hamborough, East-India, and other companies, for foreign trade, a monopoly. The case is vastly differing, and so far from hindering a publick good, that they preserve those trades in the kingdom, which would be torn to pieces, by a confused and general trade. It was evident in the time, when the East-India trade was at large; but this requires an ample discourse of itself.

*Sixthly*, I take the alteration in the value of money to be a tax, and no good one. We are less afflicted with that, than any people in the world; yet some little touches we have had, rather by accident than design, so needs the less to be said on them; but wherever it is used, the subject is the sufferer; for, call money what you will, it has its standard in the world, and is no more than what other nations account it, according to its intrinsick value, not what name any king or government gives it.

Now, if a prince, as the French often do, raise money in name, the landlord and officer, that receive fees and pensions, are the losers. The merchant and tradesmen lose but once, by as much as they have in their hands, at first coming out of the charge; but those men of real estates are losers, as long as it lasts, for that they must take it

for what the government calls it; but the merchant and tradesmen will not, because they put a value upon their commodities accordingly. If the government makes twenty shillings three and twenty, the merchant will have three and twenty shillings, for twenty shillings worth of commodities: so that he must value it according as it bears with the intrinsic value; for in proportion to that, he buys and sells throughout the world, however kings and governments give names to their several coins. So we see it in France and Holland, where they reckon their cash by livres or crowns, and in Holland, by gilders, and pounds Flemish; yet still the merchant rules himself by the standard in England, which is thought the best in Europe.

*Seventhly*, Raising money from travellers and passengers, over bridges, and through cities, as they do much in Holland, seems an unequal tax, and subject to great frauds. I take it to be unequal, because generally it is the poorest and most industrious that are liable to it, and perhaps, it often reaches those that are travelling to find out charity, or labour for a living. Now, to exact from them before they have purchased it, is a severity equal to that of making brick, without straw or stubble.

It is liable to great frauds, since it is impossible to have a check; so that the gatherers are under great temptations, and the collectors, being men of mean quality, are apter to be seduced.

Those taxes seem most beneficial to the government, which pass through few and most solvent hands. And, as it is secure for the state, so it is most easy for the people; and, the better that impositions are collected, the more are the people disburdened from new levies.

I shall now come to shew what are thought in other kingdoms most advisable, and they are these:

*First*, That of excise, which is most used in the United Provinces, which we should here think intolerable, to be laid on every bit which we eat; but there it is found useful, and time has made it natural to the people; so in Venice and other parts. The great Duke of Florence does the same, by raising most of his revenue upon consumptions in his own dominions, which indeed seems, of all taxes, the most equal; for that no man by it can be said to be oppressed, he being his own assessor, and pays but what he pleases, according to his expence. But laying it, as they do in the United Provinces, upon the food of the poor, might be thought a grievance. If that, and one defect more, could be remedied, there could be nothing said against this tax; and that is, the rich miser, who starves his miserable body, goes most free; therefore, as to him, I have before given my opinion, how he might be reached.

Where this excise is most used, importations and exportations are most eased, by which means, trade is greatly improved, and at the same time, the levies to the king or state much augmented; for that the expence of those merchants and seamen that repair thither, though they sell nothing, but come to see a market, is considerable.

*Secondly*, In other countries, Jews are particularly taxed, and for which there seems good reason, for that no tax hardly reaches them,

but, like the misers before spoken of, they are indeed beyond them, for that excise toucheth not them. They neither eat nor drink with christians; a few eggs or herbs are most of their food; live sordidly, and spend little: Have no lands or rents to be reached by any tax; nor is their trade profitable to a kingdom, or advantageous to the revenue, dealing most in bills of exchange, jewels, and concealable commodities, that pay no duty.

These men should be reached by a particular tax, and so made profitable to a kingdom.

*Thirdly*, In some places, the government maintains play-houses and matters of sport and recreation, paying the actors salaries, and taking the profit into their own treasures. And in other parts, as in Holland, the publick have one that takes part of what is given by spectators; so that they make a gain out of that waste money, for no better can I term it. If a calculation was made of all the money spent in England, by such diversions, it might be thought, a round sum might be raised to the king. Does it not seem an omission, that a play-house, which receives twenty-thousand pounds a year, should pay nothing to the publick; when a coffee-house, that receives not one-thousand per annum, pays twenty pounds? And so it is in musick-houses, bear-gardens, and plays in fairs, &c.

*Fourthly*, In some parts of the world, as Italy, France, and Spain, a tax of labour upon malefactors condemns such, as we here punish with death, to the galleys and mines, which is a punishment of greater terror and longer example than death, and, at the same time, of profit to the kingdom. I have often thought upon this particular, and spent hours in debate with myself, and therefore shall beg your patience, if I trouble you with a tedious harangue of but part of my conceptions.

I have enquired first into the law of God, then into that of other kingdoms, and find that we differ from both in our punishment for felonies. The law of Moses, which is more severe than ours in many things (as that of adultery, and disobedience to parents, the latter of which is by our law not so penal as a broken head) yet, in felonies, not so extreme as we are; so far from making it death, as not to inflict a corporal punishment. The restoring of four-fold was directed by the great judge of heaven and earth; and, if the thief had nothing to make satisfaction with, he was to be sold. But our laws and customs differ much, when we punish the kingdom for the fault of an evil member. It will not be denied, but that the treasure of men is of more value than that of money,

Now, to take away the life of a man is, in its proportion, equal to a man's cutting off a limb, because it is sore. A thief is a diseased member, better to be cured, than destroyed. It will be thought an extravagant fancy, yet to me it seems a real truth, that a thief is less mischievous to a body politick, than a miser; for he only makes a wrong transferring of riches; the other, I mean the miser, keeps all buried, so that the community is wronged by him, and only particular persons by the other; and, as the taking away the life of a man



weakens the kingdom, so does it injure the person robbed; for that, if the thief were not able to pay, then might he be sold, and kept at work in mines, or other penal labour, both for satisfaction to the person injured, and corporal punishment to the offender. And it may be thought to be of more terror, to have a spectacle for many years labouring with a shaved head in chains, than an execution of half an hour, that is oftentimes soon forgotten.

I have named but these four heads, for all the foreign use in taxes, because I do not remember, amongst the numerous ways they have, any other practicable and profitable in these kingdoms. The two latter of these we do not use; but I presume, if they were taken into the consideration of better heads than mine, they might find a way to make something out of them; forasmuch as I am able to judge, a great revenue might be made to accrue to the kingdom, out of the vermin of the nation, leud persons of both sexes, which now pass as if tolerated in their enormities; and only one sett of them, that the law seems severe against, punishing them with death; which by so much appears to be the worse, by how much we suppose nothing too rigorous for offences against ourselves, and nothing too little or indulgent for crimes committed against God. I am,

Sir,

Your most humble servant.

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## THE CASE OF CLANDESTINE MARRIAGES STATED,

WHEREIN ARE SHEWN

THE CAUSES FROM WHENCE THIS CORRUPTION ARISETH,

*And the true Methods, whereby it may be remedied.*

IN A LETTER TO A PERSON OF HONOUR.

[From a quarto edition, printed at London, in the year 1691.]

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**B**Y the sixty-second canon of King James the First, as well as by the constitutions of John Stratford, Archbishop of Canterbury, in the reign of King Edward the Third, it is ordained, 'That, no persons shall be married, but in the parishes where one of the parties dwells.' And in the hundred and second canon, it is further provided, That 'when a license is granted, the person, that grants it, shall take good caution and security:' As for other things in the canon mentioned, so lastly for this, That 'they shall celebrate the marriage publickly, in the parish church, or chapel, where one of them dwelleth, and in no other place; and that between the hours of eight and twelve in the morning.'

Most clandestine marriages that have happened, have proceeded from the breach of these canons: For, were they punctually observed, and all marriages solemnised only in the parish church, or chapel, 'where one of the parties dwells,' and no where else, no clandestine design, this way, could be carried so closely, but that the friends must know of it: At least, a stop must be put thereto, when it comes to the minister. For, when a minister celebrates a marriage that is clandestine, he doth it either out of ignorance, or ill design. As to the ignorance of the minister, in this particular (and many clandestine marriages proceed only from their being imposed on this way) the method, prescribed by the canon, must be a very effectual way; because, when all are married in their own parishes, the ministers cannot be supposed to be ignorant, whether they have consent of friends, or no, (unless, perchance, in some of the larger parishes in London, where other care may be taken, by requiring the friends of both parties to be actually present) and, therefore, though a license should be fraudulently obtained, yet, if directed to him, it can be of no effect; because all licenses go with a proviso of nullity, in case of fraud; and, therefore, to him that knows the fraud (as it is scarce possible but every minister must in his own parish) it can be no license at all, but he will be as much liable to the penalty of the law, if he marries with a license in this case, as if he had no license at all. And as to a minister's being party to the ill design of a clandestine marriage, you shall scarce ever find this to happen, when people are married by their own minister. For, the penalty being suspension *per triennium*, none that have benefices which are worth any thing, and are sensible of the fraud (as all ministers must be in the parishes where they live) will expose themselves to be deprived of them so long, for the sake of a marriage fee. But, most an end, they are not ministers of parishes, but indigent curates, or unpreferred chaplains, that wilfully engage themselves in this matter; who, having nothing to lose, on this account, are out of the reach of the penalty; and, therefore, if there are but one or two such in a county, usually the whole trade of clandestine marriages goes to them; and, therefore, the best way to prevent such marriages, will be, to confine all, according to the canon, to be married at home in their own parishes, by the minister of the place that hath an interest there, wherein to suffer, if he doth amiss. Because; if this be done, the minister can neither be imposed on by a fraudulent license, where the persons are so well known unto him (as those of his own parish must be), nor will he dare to marry without one. It may, I confess, be possible, that a minister, to gratify some gentleman of his parish, who, he thinks, is able to protect him from the penalty, or else make him amends for what he suffers by it, may be prevailed with to celebrate a clandestine marriage for his sake, and thereby put an obligation upon him, and all his family and friends, on account of the advantage usually gotten to the man by such stolen matches. But, in the parish where the woman lives, it will be quite otherwise. For, it being, for the most part, the man that steals the woman, and not the woman the man, there, instead of obliging, he

will injure, and that in so high a degree, that the family which suffers, with all their friends and relations (who, perchance, may make the major part of the parish) will be sure to fall upon him with their utmost resentments; and, in this case, a minister will have but little comfort of his life among them afterwards, though he should escape the penalty of the law; and scarce any being so weak as not to foresee it must be so, where so just a provocation is given. This alone will be a sufficient tie, were there no other, to keep any minister from betraying any of his own parish. And, therefore, were one small alteration made in the canon, and instead of the parish church or chapel where one of the parties dwells, it were ordered, that all marriages should be celebrated in the parish church or chapel only where the woman dwells (as, indeed, common custom hath already ordered it, in most marriages that are not clandestine) I apprehend it would be a thorough remedy to the whole abuse. However, were the canons, as they now stand, punctually observed, this alone would go so far towards it, that there would not be so frequent instances of this injurious practice, as to alarm the nation against us, as now we find they do, and provoke them to bring sanguinary laws upon us to prevent it.

But the mischief is, that, when the church makes good laws, our courts, when they find them against their interest, will not put them in execution. For, were all obliged to be married in their own parishes, it would cut off above half the trade of granting licenses, which would very considerably diminish from the profit which chancellors, commissaries, and registers make of their places. And, therefore, instead of executing the canons above-mentioned (as is their duty) they make it their whole endeavour to baffle them, and make them of no effect, by all the tricks they are able. For,

1. They never take any such caution or security, as the hundred and second canon enjoins in their licenses; but, on the contrary, scarce ever direct any that they grant to the parishes where the parties dwell, but put in any other parishes which the parties to be married shall desire, at what distance soever they may be from the places of their usual habitation, without any regard at all had to the canon which enjoins the contrary. Whereby occasion is given to abundance of frauds in this particular, which otherwise might be prevented.

2. Whereas the hundred and first canon enjoins, that none shall grant any licenses, but such as have episcopal authority, or the commissary of the faculties, vicars-general of the archbishops, and bishops, *sede plenâ*, or the guardian of the spiritualities, *sede vacante*, or ordinaries exercising right of episcopal jurisdiction in their several jurisdictions. And whereas the law is, that those grants are only to be made before themselves, and not before any substitute whom they shall appoint, that all the matters, requisite to the granting of a license, may be first well enquired into, as whether there be any precontract; whether there be consent of friends; whether the parties to be married are within the prohibited degrees of relation, or *pp*, &c. which often require the skill of the judge himself to deter-

mine in them. The good orders of the church have been so far neglected in all these particulars, and the corruption of officers in our ecclesiastical courts, for the sake of gain, hath run so high, that every thing is done contrary to them in this matter. For instead of chancellors and commissaries taking any pains in the particulars above-mentioned, or making any previous examinations requisite to prevent either fraud, or illegal copulations, they leave the whole matter to their registers, who, regarding nothing else, but to make the most of this trade, by dispersing and vending as many of those licenses as they can, as often as they have occasion for them, seal them by heaps, with blanks reserved to insert the names of any such as shall afterwards come for them; and, as customers come in, fill them up, without any other enquiry of the persons concerned, than for their money to pay for them. And when this stock is spent, then they go to sealing again; and, for the better advancing of this unlawful gain, they are not content to break all the good orders of the church concerning this matter, themselves, but also involve a great many of the clergy, with them, in the guilt and scandal of this corruption, by making some of them their factors in every deanry, for the dispersing of those licenses; who, under the name of surrogates, are drawn in to be their under-agents in so scandalous a work, which is to the great damage of the church, as well as against all right and law. For,

1. No chancellor or commissary hath power to make any such surrogates to act out of their respective courts. For, although they now take upon them thus to do, it is only founded on a clause in their patents, which give them the office to be executed, *aut per se, aut per sufficientes deputatos*. The meaning of which only is, that, in case of sickness, absence on just occasions, or any other lawful impediment, they may appoint others to hold their courts for them, and expedite all other acts usually done out of court; but not that they should erect inferior courts under them, as they do now by their surrogates in every deanry, to draw the more grist to their mills; which is directly contrary to law, and of infinite prejudice to the church, in corrupting and depraving all the good orders and discipline of it, and drawing thereby the odium of the people upon the governors thereof, by the frequent acts of injustice, which, by clandestine marriages, are done unto them.

2. It is a very great snare to clergymen, in being thus made the tools of those men's knaveries, and may expose them to one of the most disgraceful punishments of the law, that is, the pillory. For to fill up a blank instrument, after the seal is put to it, is forgery by the law of the land; and I had once the curiosity to advise with one of the ablest lawyers in England about it, who assured me it was so; and although I urged the constant practice of every diocese in England, against it, he answered, 'that would not alter the law, but who-soever shall insert any thing into an instrument, after the seal is put to it, will certainly be found guilty of forgery in Westminster-hall, whenever prosecuted there for it. And, if a clergyman once under-

goes the disgraceful punishment due to that crime, the blot may be sufficient to make his ministry ineffectual all his life after.'

3. It is making clergymen parties to knavery and fraud, and putting the blame of the unjust practices of chancellors, commissaries, and registers, upon those, who, for the reputation of the church, as well as of themselves, are most concerned to prevent them. And thereby a great deal of clamour is drawn upon us, which we can never prevent, as long as any of the clergy are thus permitted in so mean and base a manner to be subservient to the knavery and unjustifiable practices of these men. For they, regarding nothing else but their gain in the choice of those, whom they appoint to be their surrogates, chuse only such as are properest for their purpose this way, who, being of the poorer and meaner sort, make their advantage of the employment, by marrying themselves all those that come to them for licenses, and, thereby advancing their own gain as well as that of their masters, become the more diligent agents for them. And I am told of some that keep markets weekly for this purpose, there exposing their blank licenses to sale, as tradesmen do their wares, which they fill up for any that will pay for them, without any other reserve, but that of the marriage to themselves, by putting in only those churches for the solemnising of it, where they themselves are ministers. But at best, though all surrogates do not thus carry their blank licenses to market, yet all keep shops of them, at home, and seldom or never refuse any customer that comes, on how unjustifiable an account soever. And therefore, when a wedding comes to them, and a marriage fee is to be gotten, without any further enquiry, the blank license is brought forth, the names of the persons to be married are inserted into it, and then the surrogate thinks himself safe, and away he goes to the church with them, and there marries them by vertue of a license from himself, without regarding how they come together, so he hath a fee to his masters for the license, and another to himself for the marrying of them. And, if it happens that any such are afterwards questioned for these marriages, the license is produced for their justification, which being under the seal of the office, and in the name of the chancellor or commissary that grants it, the matter is usually shuffled off, and no justice at all done to any that complain of the injuries, that they suffer in this kind. For the truth is, was the thing brought to an examination, the law would excuse the minister, who produceth the license (unless his being party to the fraud were proved upon him, which he usually takes care to provide against in the manner of transacting it) and lay the whole blame upon the chancellor or commissary, in whose name it is granted, who usually know ways enough to baffle all prosecution, that shall be made against them on this account, and therefore, no examples being made of those that offend in this kind, they are the more bold still to go on in the same illegal practices, and the church infinitely suffers in its reputation thereby; and in truth, no excuse can be made in this particular, while our governors, who have officers under them for the putting the laws of the church in execution,

permit them thus in so scandalous a manner to corrupt them all for their own advantage.

Of which scandalous corruption, being abundantly sensible, by what I found of it, where concerned, about two years since, I set myself to reform it, and drew up a monitory to be sent to all the clergy of my jurisdiction, wherein I inhibited them to marry any either by license, or otherwise, unless one of the parties lived in their parish, according as it is enjoined in the canon above mentioned. But hereon the commissary and register came to me with open mouths, complaining, that this would totally spoil their places. To which I answered, that my business was not to take care of their places, but that the canons be kept; and if they would make gain, by what was inconsistent herewith, they were not to be tolerated in it. Whereon the commissary told me, that, 'although the canon was as I said, yet he could assure me, that the practice was quite the contrary, through the whole kingdom; and that since the archbishops, and all their suffragans thought fit to tolerate it, he thought it would not become me to contradict it.' And on inquiry, finding it really to be so, as he told me, I was forced to let the matter fall, because I thought it would appear a ridiculous singularity in me, to attempt a reformation in that which the archbishops and bishops of our church thought fit, in all parts of the nation besides, to allow. And besides, I had an account given me, that the late bishop of Norwich miscarried in the same attempt. For, on his first coming to his diocese, finding great clamour about clandestine marriages, he made his chancellor and commissaries call in all their surrogations, and suppress all blank licenses, and ordered, that no minister should marry any, but whereof one of the parties dwell in his parish: and by this means, for a while, things were kept in good order, but they had not been long so, but the master of the faculties, and the vicar-general to the archbishop, took the advantage to send their licenses into the diocese; which the bishop perceiving, and having no authority to controul them herein, he thought it better, since he saw there was no remedy, to suffer the corruption to be still continued by his own officers, over whom he had some awe, than by those interlopers, with whom he had nothing to do; and therefore relaxed all his former orders, and left his officers to proceed in the same course as they did before; and the mischiefs, which have since followed hereon, are too many to relate. But two very signal ones, in my neighbourhood, I cannot pass over; the one of a man that hath married his father's wife, and the other of one that married a woman, whose husband was alive in the next parish, by vertue of those licenses. And this course can never be remedied, unless the two archbishops will be pleased to undertake it, and send their orders to all their suffragans, that the canons be punctually observed in these following particulars.

1. That all surrogates, with blank licenses, be suppressed, and no license for marriage at all granted, but by the person himself, that hath authority in this particular, or the deputy only who keeps his seals, and presides in his court in his absence.

2. That all previous examinations be made, and all cautions and

securities carefully taken, which are by law required, before any license be granted.

3. That no parish church or chapel be put into the license for the place of celebrating the marriage, but those only where one of the parties, that are to be married, dwells. And if the archbishops have authority so to do (which I think they have, all licenses in this kind being only *ex gratiâ*) that they limit it to the parish church or chapel where the woman dwells.

4. That a severe prosecution be enjoined against all those that transgress in any of the premisses.

If the bill pass against clandestine marriages, which I hear is now before the parliament, I confess it will be too late for the church to meddle with this matter; but in case the bill be cast out (as perhaps it may) I think it will then be very proper for the church to undertake the business, and employ all the authority it hath to reform so great an abuse. And if the archbishops and bishops would be pleased so to do, to whom the cognisance of this matter doth most properly belong, I know no way can be more effectual for it, than the putting the canons in execution in the particulars I have mentioned. And if this be done as soon as the bill is cast out, by a publick order from the two archbishops, to their respective provinces, and the bishops be hearty and zealous in the executing of it, I doubt not there will be these following good effects thereof.

1. A speedy remedy will thereby be put to this great abuse, which hath raised the clamour of the nation so loud against us, and made so many disaffected to the church, by reason of the injuries that some of their families have suffered by our tolerating so unjustifiable a practice among us.

2. Full satisfaction will be given to those who so earnestly call for a reformation in this particular; which will be the most effectual method of preventing the ill designs of those who endeavour the bringing of sanguinary laws upon us for this purpose; which, if effected, will be a great severity, and may prove a constant snare to their lives, whenever the people have malice enough to raise a prosecution against them.

3. It will stop the mouths of those who are too often heard to reproach the bishops with this whole abuse, as if the whole reason of it were from this, that they sold their chancellors, commissaries, and registers places, and therefore were bound to tolerate those officers under them in all their illegal practices, that they may thereby the better raise the money that they exacted from them, for their admission to those employments.

And thus far having stated to your lordship this whole case, and shewn you therein from whence the great abuse of clandestine marriages ariseth, the manner how the practice of it is grown so frequent, and the means whereby it may be prevented, I earnestly beseech your lordship to make use of that opportunity which God hath given you, in putting to your helping hand for the reformation of this corruption, that the reputation of our church, and the interest of so many families that are members of it, may not thus continually be sacrificed to the

illegal gain, which chancellors, commissaries, and registers reap to themselves, from the practice of it. In order whereto, I wish your lordship would be pleased to lay the state of this whole matter before my lord archbishop of Canterbury, that if the parliament puts not that severe act upon us for the reformation of this abuse (as I hope they will not) his grace may do herein, what in his great wisdom he shall see may be most conducing to the good of the church.

I am,

My Lord,

Decemb. 11,  
1691.

Your lordship's most humble servant.

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A

PROPOSAL FOR AN EQUAL LAND-TAX;

HUMBLY SUBMITTED TO CONSIDERATION.

[London, printed in the year 1691. Quarto, containing 14 pages.]

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The inequality of the land-tax presently appeared, even at a time when the legislature, by a pound-rate, thought to have remedied all the inconveniencies, which afore-time had attended that assessment upon the subject; and that, which was calculated for the good of the whole, was by the zealous loyalty of one part, and the crafty reservedness of the party that opposed the revolution, turned to the greatest oppression of the true-hearted Protestants, and to the real advantage of those, who rather than fairly contribute, in proportion, with their fellow-subjects, to withstand our common enemy, would risque the loss of their all by a passive concurrence to ruin our religion, laws, and liberties. For, upon so fair a proposal to settle the land-tax by a pound-rate, they, who wished well to their country and the Protestant establishment, gave in a just estimate of the intrinsick value of their estates, and were assessed according to their said valuation, and continue so to be even to this day; though in many places, through various accidents, as, the falling of rents, and the want of tenants, they are obliged, by a re-assessment, to raise a fourth or a fifth more than the current assessment is enacted for. But those, that waited an opportunity to recall a popish governor, gave in, some a half, others a third, and some only a quarter of the intrinsick value of their estates, and were, and continue to be assessed only according to that fallacious valuation; and it is against this grievance, which was early perceived, though not yet remedied, that this pamphlet was written, and, I think, proposes a good method to settle it upon a better footing.



**T**HERE is a great and urgent necessity, at present, of raising great sums of money ; to which the common people of England, we may safely presume, would willingly contribute their utmost ; and matters might be so ordered, that their assistance would be very considerable. But some would have the gentry take the whole burthen upon themselves and a few others ; and would have this money raised by a land-tax, which way will very probably be followed. Here it is confessed, that, though this tax prove heavy, yet upon this great occasion it would be borne with chearfulness, if it were made equal ; but the monstrous inequality of it, as the rates are now, is more grievous than the tax itself. What can be a greater heart-breaking, than to pay double and treble, in proportion to other people ? And many a poor gentleman must be ruined, if these rates continue.

A remedy for this evil hath been nobly attempted already, in parliament, by bringing the payments to a pound-rate. And surely it cannot be denied, but that the taxes of two shillings in the pound, and three shillings in the pound, were the fairest that ever were granted. Nor hath there been any thing done in England more becoming a parliament. But that, which was well designed, was so villainously executed (I mean in the assessing) that even those taxes proved shamefully unequal. So that, notwithstanding all the care that was taken, some men paid double and treble to others. Not that much land was assessed above the true value, for that is not complained of ; but, while some were assessed to the full, others were assessed at the half or third part, by which means they, that were assessed to the full paid double or treble. For example : If there be three farms of equal value, that is, each of them worth three-score pounds a year ; and one of these is duly rated at three-score pounds, the second unduly at thirty, and the third at twenty ; in this case the first pays double to the second, and treble to the third.

You will say, that, to rectify this matter, we must raise all those that are under-rated, and thereby have all lands assessed at their just and full value. In answer whereunto, I confess, that, if this thing were done, we might easily have equal taxes ; whether they were laid by the pound-rate, or by a sum certain upon each county. But all the skill, and all the difficulty is, to get this thing done. The ordinary assessors will never do it ; for experience hath taught us, that men will strangely swear and forswear, to save themselves and their neighbours from being screwed up. And it hath been proposed already, to take a more effectual course by rewarding informers ; but that way doth not please. Some would have a tax by the pound-rate, and the king to name the commissioners ; but I doubt it will not be convenient for his majesty, or men deputed by him, to have any hand in screwing up people ; others would have such a tax farmed out, and the farmers to try their skill ; but a tax fit to be farmed out should be of some continuance ; whereas this must be paid at once, or within a short time. Besides, these farmers and commissioners must do their work by the help of informers ; who, as I said before, are not pleasing. Moreover, go which way you will, this

raising and screwing of people is a harsh and odious business, and goes against the hair, so that it will be found extremely difficult.

But the design of the proposal, here offered, is not to raise any body ; but only to ease those that are overcharged, and who pay above their portion. Which is a thing so equitable and so favourable, that there is good reason to hope that no man will be so inhuman to oppose it. Considering withal, that none are to have this easement, unless they make their case so plain that no doubt can be made of it.

The proposal hath been briefly mentioned already in the Project of a Descent upon France, and more at large it is this :

I. That a land-tax be granted, the same with that which was granted this last year (the amount whereof is, we know, about seventeen-hundred thousand pounds) and that the same proportions be laid upon the several counties, and upon each particular man.

II. Provided, nevertheless, that no man be obliged to pay above two shillings in the pound, of the true and full yearly value of his land.

III. That, in order hereunto, all persons aggrieved, that is, all that are to pay above that proportion, may complain to such commissioners as the parliament shall please to nominate for each county.

IV. That these commissioners, upon clear proofs in writing of the true value of the land, shall make just abatements, and shall settle the complainants tax at the said proportion of two shillings in the pound.

V. That the commissioners cause all these depositions, and their orders upon them, to be fairly transcribed into a book, and so transmit them to the committee, which the parliament shall please to appoint for this service.

VI. That this committee of parliament shall inspect the said depositions and orders, and shall disallow the orders, if the evidence seem not clear, or alter them as they see cause.

VII. All orders and abatements made by the commissioners to stand good, unless, and until they are disallowed by the committee of parliament.

VIII. No proof to be admitted, but by written depositions ; even the quality and credit of the witnesses, if there be occasion for it, to be proved in writing.

Thus I have laid open the whole design ; which aims at nothing but to relieve the oppressed. Here will be good store of informers, but, of all that ever were, they will be the most innocent ; for every man must inform for himself. And he may easily do it with effect ; for there is nothing more easy, than for any man to shew plainly the true value of his land.

If the land be let, or have been lately, at a rack-rent, it is easy to shew what that rent is or was ; and the tenant's own oath will be good evidence, if he can also swear, that the whole tax must be allowed by the landlord, which the law directs, if there be no covenants to the contrary. Also the same thing may be proved by the landlord's steward or bailiff, or any servant that knows.

If the land be let for lives or years, and at an under-rent ; it may be shewed what the rent is, and, likewise, what fine was paid, and for what term.

But, if the land be a man's own, and was never let, there must be more ado, though even then the thing will not be greatly difficult. It will give a great light, if a surveyor swear to the quantity ; shewing also how much of it is common field, and how much inclosure ; likewise, how much is meadow, arable, pasture, and wood. Then others must prove the common rate of those sorts of land, in that place and neighbourhood. And substantial neighbours may make oath, what they believe and judge to be the true value of the particular land in question. Also the party may shew, at what rate he bought the land, if he hath lately bought it ; or at what rate he hath offered it to be let or sold. In short, there are many ways to make out a thing of this nature, if it be true. But to palliate a false value is very difficult, so as to give clear and full satisfaction ; without which, there must no relief be expected by the complainants.

I must now answer a question concerning this matter ; and likewise two objections.

The question that may be asked is this :

What is the meaning of this committee of parliament, which, according to these proposals, must controul the commissioners of the counties ?

And I answer, that the meaning is :

That the commissioners may take greater care to do equal and righteous things, when they find that their proceedings must be seen and examined by others ; whereas they would be apt to take too much liberty, if it should be only known to themselves, what methods they follow, and upon what grounds they go. But yet, in all likelihood, the committee will not much alter what the commissioners have done.

The first of the objections is :

That the thing here proposed is exceeding laborious.

I answer :

That the bringing taxes to an equality is so glorious an achievement, that we ought to spare for no pains to compass it. Nor is it only noble and beneficial, but also of absolute necessity. ' If the equal dividing the common booty be necessary to pirates and buccaneers, the equal distribution of the publick burdens is much more to a state ;' saith a late author. But, moreover, as this work is great, so there will be many hands to do it. The country commissioners will divide themselves, as they used to do in the case of assessments. And the committee of parliament, which will be numerous, will name several sub-committees out of their own number, and share the work to them, who, amongst them, must peruse the books sent from the counties ; and report to the whole committee, what they disallow and what they doubt of. The transcribing the depositions into these books may seem a tedious business, and of too much time. But even here so many hands may be employed, as will make quick work. For several men may be at the same time transcribing upon

loose sheets, and then those sheets be made up in a book. Indeed, there should be two books, one to be sent to the parliament, the other to be kept in the county. All this writing to be paid for, by those, for whose benefit it is done, according to the length and depositions that concern them. And it is much if it cost any man five shillings.

The second objection is :

That by these abatements, according to the proposals here offered, the tax will fall short.

In answer to which I must acknowledge, that the tax will fall short, at least, half a million ; but if the publick occasions require it, this may and must be made good by a farther tax ; which by this time will be pretty equal. And, surely, it is much fitter, that the whole nation should bear this further burthen by an equal tax, than that part of the nation should bear it, by having the inequality continued upon them, and by paying above their proportion.

It is confessed, that, when all is done that hath been here proposed, there will still remain some inequality ; for, as the rates are now, there are many that, to the last great tax, pay under two shillings in the pound ; and there is nothing here offered to raise them. We must therefore be content, at least at present, to let them enjoy this advantage. Let them pay twenty pence, or eighteen pence, or less, while others pay two shillings. But that some should pay but twenty pence, or eighteen pence, while others pay four, five, or six shillings, or more ; so that some are at ease, whilst others are destroyed ; is too unreasonable, and ought to be endured no longer.

You will ask, what injury is it to me, if my neighbour be eased ; I answer, the injury is, that I am not eased too. And, if he pay below his proportion, I must pay above mine. And, by the undue easing of him and others, the tax falls short of what it would otherwise be ; so that the publick occasions call for further taxes, of which I shall bear part, and still above my proportion. If some part-owners should pay less in proportion than others toward the ship's charge, it would be a plain wrong to those others. And so it would be, if some lands in a marsh should, for maintaining the sea walls, pay but six-pence an acre, when other lands pay twelve-pence.

It hath been said, that, though a tax were laid, as hath been here proposed, yet there would be still some inequality. But the next tax after might bring things more even. For it might be granted for the same gross sum, with this proviso that none pay above one shilling in the pound ; with the same methods for giving ease. And this tax would make good what the other falls short, for both these taxes will amount to three shillings in the pound ; which is very near the true proportion, that all lands should pay the tax now on foot.

Thus, by the way that hath been here proposed, there must be two steps to arrive at the reformation intended. But I conceive, upon further consideration, that the thing may be done at once, and that the first new tax may be at the former rates, provided that none pay above one shilling in the pound. Which will be the same thing in effect, as a tax of twelve-pence in the pound, with a new and sure

method to have it equally assessed. This tax may, by the good old word, be called a subsidy; and the parliament, now, and at other times, may please to grant either one subsidy, or part of one, or a subsidy and a half, or two or three subsidies or more, according as the publick occasions require.

But still, after all hath been done, the taxes will not yet be exactly equal. For there are divers, as I am well informed, that do not pay six-pence a pound to the great tax\* now upon us. I leave these to be further considered, and, in the mean time, though they do not pay to the full, yet they will pay three times as much in proportion, as they did formerly.

I have all this while been driving at equality; but there is an equality so unequal, that I cannot but declare my sense against it; and that is, that houses should bear equal proportion with lands, for which there is no reason, as every man's reason will tell him. They ought, therefore, to be abated a fourth or a fifth part.

If the parliament shall not think fit to enter upon this great work at present (though it is every man's work, and would be soon done) they may however, by a shorter way, give some relief (if they please) to those that are oppressed in the land-tax; that is, to those that pay plainly above their proportion. And this may be done, by making the sum of the tax, next granted, to be something less than the last, and then distributing this abatement among the counties, that are now notoriously overcharged, the other counties continuing as they are. Thus, whereas the last tax was for about seventeen hundred thousand pounds, the next may be for fifteen or fourteen hundred thousand; which is two or three hundred thousand pounds less. And then the oppressed counties, which counties are well known, may have their monthly payments abated, in such proportions as the parliament shall find meet. The raising either of men, or counties, is such a *noli me tangere*, that there is no meddling with it; but there is great reason to hope, that the giving just ease, to those who want it, will meet with no opposition. For my own part, I have no particular concern in this matter. I am in a county that is not like to be eased; and I pay about three shillings in the pound, which is near the true proportion: But I wonder the counties, that are concerned, have not petitioned all this while. In such a case as this, even clamorous petitions would be excusable.

There is another consideration about taxes, which I recommend to those worthy persons who have a hand in granting them; and that is, that the payments be not made too quick. We know that the present great tax (to say nothing of those precedents) is paid with exceeding difficulty. And such another tax in the neck of it, to be paid likewise forthwith, it is doubted would occasion extreme distresses. When a man hath bled much, if you go to take a further great quantity from him, at once, and presently, it may prove fatal, his body cannot bear it: But, after a while, his blood being recruited, and supplied, you may take more without hurt or danger; especially if you do it by de-

\* Three shillings in the pound.

grees. And it is just so with our nation in point of taxes. We could pay a moderate tax for many years, and be little the worse; and people would have room, and time, to supply all by industry and parsimony, the two great promoters both of private and publick riches. But our money, of late, hath been swept away so fast from us, little of it returning, that it hath not only sheared from the landlord a good part of his rent, but also disabled the tenant from paying the rest, the market being dead, and no money stirring; and then the cities, and towns, must needs, as they do, find a grievous deadness of trade; so that a general poverty hath suddenly overwhelmed us.

We could better pay two millions in four years, than a million and a half in one year. In which first way, the war might be maintained by taxes, that probably would be paid in time of peace, when we shall be better able to do it. Also his majesty's present occasions will be as well provided for this way, if there be a credit given upon those future payments. You will say, this will draw on interest. But I answer, that the interest will not do us so much harm, as the respite will do us good.

In this affair we must consider, not only what is best to be done, but also, and more especially, what we are able to do. Perhaps, it were best to pay ready money down; but, if we cannot do it, we must be glad to take time, and allow interest: And it is better to have upon us, for some years, a burden we can bear, than to be crushed at once by a burden we cannot bear.

If it be an advantage to lend money to the publick above the common interest, it is among ourselves, and any one that will may have it. There is also this convenience, that all those lenders will be firmly engaged to wish well to the government.

I would not have us follow the example of Holland, where their whole standing revenue is anticipated for a great many years, by vast sums of money taken up at interest; and there are many families, that live upon the constant interest of monies lent to the state. But I hope we shall never be brought to such necessities; and I would have our dealings, in this kind, to be for moderate sums, and a moderate number of years.

We may remember, that, in King Charles's first Dutch war, the parliament gave at once two millions and a half; but to be paid in some years: So that what is here offered, in this matter, is, even in England, no new thing.

But, what if this war continue next year, and we must raise more money? How, and upon what, shall the tax be laid? My answer is, that, if there be a necessity for it, it may be a concurrent land-tax; or the tax may be pushed further on, upon some years to come: That is, after the end of the four years before-mentioned.

It cannot be denied, but that the ways now mentioned, and especially the last, will draw on more interest. But, to make this interest easy, it is further humbly proposed:

1. That a land-tax be granted, suppose for a million of pounds, payable at the end of five years.

2. That, upon the credit of it, the king be enabled to give tallies,

or tickets, of one hundred pounds each, amounting in the whole to ten thousand.

3. That these tickets be made current, according to their value, by act of parliament.

4. That these tickets be pieces, or plates, or medals of silver, coined, or stamped, in the best manner, to avoid counterfeiting, and each having its number fairly stamped upon it.

5. That each of them be affixed, or appended, under a seal, to a pocket-book.

6. In this book shall be written, to whom, and by whom, the ticket was first delivered, with all the assignments afterward.

7. That no man shall be obliged to take them at first from the king, but with the allowance of five *per cent.* nor shall the king's receivers be obliged to take them back at their full value, till after a year from their first delivery.

8. That, when these tickets are brought in, at the end of the five years, they, that bring them in, shall likewise have the allowance of five *per cent.* So that they are first taken at ninety-five pounds, and paid back at last at a hundred and five.

9. If any of those tickets be lost, yet he that had it, to have the benefit of it at the five years end, he proving that it was delivered or assigned to him, and there being no proof that it was farther assigned.

10. The form of the pocket-book may be this:

Number I.

March 1, 1691. Delivered to A. B. of the city of London, merchant: By me, C. D. the officer's name.

April 17, 1692. Assigned to Sir E. F. of S. in the county of Kent, knight: By me, A. B.

June 24, 1692. Assigned to G. H. of the city of London, goldsmith: By me, J. K. executor of Sir E. F.

Here now is money taken up for the publick service, at ten *per cent.* for five years, which is two *per cent.* yearly.

The first five *per cent.* will take the tickets cleverly out of the king's hands, without any appearance of hardship to the subject, and it will set them fairly afloat. The five *per cent.* at last will secure those that take them from being left in the lurch; it will make them not afraid, but desirous, to have them at the five years end; and it will keep up their value and reputation during the whole time.

These tickets will be a treasure that can be neither stolen, nor lost; for they will be of no value, more than the medal, save only to those who have the right to them.

They will be a good supply for the money we have lately lost, and money will then be less needful. Great sums will be paid with tickets, and lesser sums with money.

Perhaps, hereafter, when we have seen the way of it, we may, in the same manner, take up greater sums, at easier interest, and for more years.

But, I doubt, it will not be convenient, that the amount of these

tickets should ever exceed the half of our running cash, though we could have them without interest. A moderate quantity of them will impede our money; but too great a quantity would drive it quite away.

I must add one thing more to the foregoing part of this discourse; and that is, that when a land-tax is granted, there should a poll-tax go along with it: That so, the whole kingdom being concerned, every man in it may contribute something. The land-tax draws hard from those that have estates, and the poll-tax will draw something (though a general excise would insensibly draw more) from those that have them not. And surely when the men of estates bear the main of the burden, and put their shoulders to it; it is but reasonable, that the common people also should each of them lend a finger. They ought not therefore to complain, if, for every shilling in the pound which the land-tax rises to, there be twelve-pence a head laid upon men, and upon the women six-pence. Thus a great difference is here made, as it ought, between women and men. For there is no reason that women should pay equal, when they do not get half so much. And I have the rather designed them some little ease in this matter; because I think our nation hath been too valiant, in making hard laws against women.

When I speak of so much a head, my meaning is, that it should be upon all alike, both high and low. Or, if any difference be made, it should be only some such difference as this, that gentlemen, and all so reputed, should pay double or treble to common men.

It seems a great mistake, that a poll-tax should run high upon degrees, and titles, and dignities, especially if a land-tax likewise be then on foot; for, generally, they, that have titles, have also estates, which pay to the land-tax. If a land-tax come to two shillings in the pound, and there be a poll-tax proportionable, a common person pays two shillings for his head, and a knight of a thousand a year pays a hundred pounds for his estate; and it seems very hard, that he should pay ten pounds more for his title. Why should we lay more upon those, that have their load already?

And, though there were no land-tax on foot, yet a poll-tax, that runs upon titles and dignities, is of all others the most unjust, because it is the most unequal. It is very unequal and unjust, that an esquire, not worth a hundred pounds, should pay as much as one worth five thousand a year.



A TRUE AND FAITHFUL RELATION  
OF THE  
PROCEEDINGS OF THE FORCES OF THEIR MAJESTIES,  
KING WILLIAM AND QUEEN MARY,  
IN THEIR EXPEDITION AGAINST THE FRENCH,  
*IN THE CARIBBEE ISLANDS, IN THE WEST INDIES:*

Under the Conduct of his Excellency Christopher Codrington, Captain-General and Commander in Chief of the said Forces, in the Years 1689 and 1690. Written by Thomas Spencer, Junior, Secretary to the Honourable Sir Timothy Thornhill, Baronet, to whose Regiment he was Muster-Master, and supplied the Place of Commissary. London, printed in 1691. Quarto, containing fourteen Pages.

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*To the Right Honourable Edward Russel, Admiral of their Majesties Fleet for the Year 1691, Treasurer of their Majesties Navy, and one of the Lords of their Majesties most Honourable Privy-Council.*

Right honourable,

**I** MIGHT justly imagine myself to be thought rude and impertinent, when I first presumed to tender this account to your honour ; and I should never have adventured upon so great a boldness, if I had not thought it really my duty to present it to your honour's view. And the reason which moved me to it was, because the most notable actions herein related, as the taking of St. Christophers, and St. Eustace, were the immediate success of part of that royal navy, which your honour now happily commands in chief ; I mean that squadron commanded by Admiral Wright in the West Indies, without which it had been utterly impossible for the English to have enterprised any thing in those parts. For their majesties islands there were so depopulated by a raging mortality, that the surviving inhabitants were even harrassed with a daily fatigue to defend themselves. Upon this motive, joined with the consideration of the innate generosity, which is generally found in all persons so nobly and honourably descended as yourself ; but is so peculiar to the most noble family of Bedford, and with which (as you are a principal branch thereof, so) you are principally adorned ; I first assumed the boldness to address your honour with a copy of this relation ; and the high favour you were pleased to vouchsafe me, in your perusal and approbation of it, when it was a manuscript, hath encouraged me not only to send it to the press, but hath also emboldened me to implore your patronage

to countenance it, with which it will be sufficiently honoured and defended, and may boldly appear in publick. But, for the return of so high an obligation, as it transcends the utmost of my hopes to accomplish, so I must confess my incapacity to make any farther advances towards it, than an humble and grateful acknowledgment, which shall ever be paid with the strictest observance, by him who craves leave to subscribe himself,

Right honourable,

Your honour's most humbly devoted and obedient servant,

THOMAS SPENCER.

THE design of this small treatise is to give a succinct relation of the proceedings of their majesties forces, in the Caribbee islands; and, in a plain and compendious method, a faithful narrative of the most remarkable transactions, from the beginning of the war, to this present time: Only I must desire to be excused, in the omission of noting the particular days of the month in some places, the loss of some papers having forced me to be less exact in the performance of that, than I could wish; but, as this is not absolutely material and *per se*, but only circumstantial and *per accidens*, I presume it may the more easily be pardoned.

But, before I fall upon the intended matter, I think it not amiss to shew the first grounds and reasons of the differences which have happened in those parts. Be pleased then to know, that the island of St. Christophers hath formerly been a stage of war between the English and French: But, of late years, matters being accommodated, and the island divided between them, they have each of them lived under their own government, and an act of neutrality hath passed by the consent of both their kings, to the intent they might there enjoy a quiet and uninterrupted peace, notwithstanding any wars that might happen between the two crowns in Europe. But the French, being a fickle and inconstant people, broke through all those considerations; and, before the wars were proclaimed between England and France, prompted by some private animosities of their own, and animated by the instigations and impulsions of some Irish upon the island, in the month of July, 1689, entered the English ground with fire and sword, forcing the inhabitants to fly to the fort for their safety.

The English, being in this distress, applied themselves to the government of Barbadoes for assistance; upon which application, the honourable Sir Timothy Thornhill, baronet, offered himself, to go at the head of a regiment to their relief; to which the governor, council, and assembly assenting, the drums beat up for volunteers, and, in less than a fortnight, there was raised a regiment of seven hundred able men, all which (the commissioned officers excepted) were fitted with arms, &c. for the said expedition, at the cost and charges of the island of Barbadoes, convenient vessels being also provided, for the transporting them to the island of St. Christopher's.

All things being in a readiness, they embarked and set sail on Thursday the first of August; and, on Monday following, being the fifth of the said month, they arrived at the island of Antigua, where they received the unwelcome news, that the fort at St. Christopher's was surrendered to the French, on Monday the twenty-ninth of July, upon articles, and the English sent off to the adjacent island of Nevis.

Affairs being thus stated, Sir Timothy Thornhill knowing his strength to be inconsiderable to attack an island so well manned and fortified as St. Christopher's; and the government of Antigua also soliciting him to continue with them till the arrival of the English fleet, which was daily expected; he agreed to their proposals, and landed his regiment there, quartering them in the town of Fal-mouth.

After a month's continuance in the said island, Lieutenant-general Codrington sent three sloops, manned with fourscore of Sir Timothy's regiment, under the command of Captain Edward Thorne, to fetch their majesties subjects, with their goods and stock, from the island of Anguilla, where they were miserably abused and destroyed, by some Irish which the French had put on shore amongst them. Before, and during Sir Timothy's stay in Antigua, the Indians of the neighbouring islands, who were in league with the French, landed several times upon the said island, killing those inhabitants that lived near to the sea (to the number of ten) and then making their escape in their swift periaquas, notwithstanding the best sailing sloops were sent in pursuit of them; but, by the diligence of the lieutenant-general, in placing guards at all the bays and landing places, those incursions were afterwards prevented.

About the middle of September, a French privateer, landed at Five islands, near Antigua, had taken off some negroes; and, in his going away, met with two English sloops, one of which, after some resistance, he took. The other, making her escape, came in, and gave an account of the action; upon which, Sir Timothy sent out two sloops, manned with a company of grenadiers, under the command of Captain Walter Hamilton, who next day brought her in with her prize. On board the privateer (besides thirty French) were six Irish, who were tried by a court-martial, and four of them deservedly executed.

At this time, a dreadful mortality raging in the island of Nevis, especially among the men, which had reduced that sex to a moiety of its usual number, forced the inhabitants to make their addresses to Sir Timothy, who now had received a commission for major-general, to bring his regiment down thither for their defence, their island lying within two leagues of St. Christopher's, and in daily expectation of being attacked. The major-general weighing their necessity, after the violence of the distemper was abated, in the month of November, removed his regiment thither, incamping them upon a commodious plain, close adjoining to a river.

In the beginning of December, the lieutenant-general, coming down to Nevis, called a general council of war, in which it was de-

terminated, that the major-general, with three-hundred of his own regiment, and two-hundred Nevisians, should go down and attack St. Martin's and St. Bartholomew's, two islands belonging to the enemy, in which they reared considerable quantities of stock, for the support and maintenance of other their sugar islands. In order to which expedition, the major-general, on Sunday the fifteenth of the said month, put his forces on board the vessels provided for them, being one brigantine, and nine sloops; and, on Monday the sixteenth, he himself embarked, and the fleet set sail for the said islands. On Wednesday the eighteenth, in the morning, we passed by St. Bartholomew's, and, about four in the afternoon, being within four or five leagues of St. Martin's, we espied a small sloop standing up towards us; but, upon sight of us, she tacked, and put into one of the bays. When we came up with the bay where she lay, the major-general sent one Lieutenant Dowden, with three files of men in a boat, to go up to her and board her, and, if she were floating, to bring her out. When the boat was got near on board, the enemy, who lay hid in the bushes on each side, the bay being land-locked, fired very thick upon them, forcing them to retreat, two of them being wounded. The major-general, being very desirous to have the sloop, after it was dark, sent thirty men in four boats and canoes, under the command of Captain Walter Hamilton, again to attempt the bringing her out; but the enemy discovered them, and fired hotly upon them. The canoe, which Captain Hamilton was in, rowed close up to the sloop, and found her run on ground, the men, being all gone out of her; so were forced to leave her, and return to their vessels. Captain Hamilton received two shots in one of his legs, about four persons more being wounded, but none killed; that night we stood off and on, as though we designed to land in the morning.

The next day being the nineteenth, there was a council of war held by the officers on board the brigantine, wherein it was determined, first to attack St. Bartholomew's, and accordingly the sloops stood up in the night to the said island. The next morning before day, Major John Stanley landed with fourscore men, notwithstanding the opposition of the enemy, and beat them out of their breast-works; and by break of day he had planted his colours upon a battery they had, consisting of two great guns. All the forces being landed, the major-general ordered them to take three several ways; himself leading his own guard of gentlemen reformadoes, with two companies more, through the body of the island. After a mile's march, we discovered a large fortification, which appeared to be well manned; but the major-general, running down bravely with his men, so disheartened the enemy, that, after they had given us two or three volleys, they quitted it, and fled into the woods. The fortification was quadrangular, consisting of about two acres of land, encompassed with double rows of stakes, six feet high, and four feet distant; the intervals being filled with earth, and a wide deep trench without it. On each corner there was a flanker, in one of which were planted four great guns; the entrance into it was a lock, ad-

mitting but one at a time ; in the middle of it was the governor's house, and a guard-house for the soldiers ; also a large cistern with store of water ; seven or eight barrels of dried salt fish, with bread proportionable, and two barrels of powder. It was situated in a bottom, by the side of a lane, through which we were to pass to come at it, and on the other side was a very high hill. After we had entered it, the major-general sent this relator with four files of men, to gain the top of the hill ; which he did, finding it fortified with two great guns, loaden and primed, with the match lighted, and several bags of partridge shot lying by them, but the enemy was in so much haste, they did not stay to fire them upon us.

About four miles distant from the fortification, upon the side of a hill, there appeared a large white building, resembling a fort, to which the major-general sent three-hundred men under the command of Colonel Charles Pym, with orders, if he found it strong, to sit down before it, and wait his coming. About two of the clock, the major-general (leaving a sufficient guard in the fortification) marched up thither with the rest of his forces ; and, when we came to it, we found it to be only a stone platform, laid shelving for the conveyance of the rain water into the cistern ; the island being destitute of rivers, wells, or other conveniencies of fresh water, the inhabitants are forced to make use of all advantages to catch the rain, each house being furnished with one or more of these cisterns, some of them capable of holding twelve or fourteen tuns. There we encamped that night, and the next day (the twenty-first) we marched back to the fortification.

On Sunday the twenty-second, in the morning, two captains of the enemy came in with a flag of truce, bringing articles from their governor, upon which they offered to surrender themselves ; which, when the major-general had perused, he returned an answer to him in writing, and also by two gentlemen, who spoke French, which he sent to him, that his terms were denied ; but, if he would come in with the inhabitants, with their arms and ammunition, within three days, he should find him a gentleman ; but, if he stood out longer, he was to expect no quarter. That night the gentlemen returned to the camp with an answer from the governor, that on Wednesday he would come in ; but he could not sooner, because some of the inhabitants were hid in woods, to whom he could not communicate his design before that time.

On Monday and Tuesday (the twenty-third and twenty-fourth) we marched round the island, burning all the houses as we passed along ; the inhabitants in some places firing upon us from the woods, but without any damage.

On Wednesday (the twenty-fifth) we espied a flag of truce coming toward us, with the governor, and a great company of the inhabitants ; upon which, the major-general, having his own company of guards in the fortification, and the rest of his forces drawn up round it, sent the two gentlemen, who were before with him, to meet the said governor ; and, at the entrance into the fortification, he was received by Lieutenant-colonel John Thomas, and by him conducted to

the major-general, who sat in the house (which rather resembled a pigeon-house, than a governor's pavilion, as the French termed it; for it consisted only of one room about twelve feet square below, and another above) he was accompanied by a friar, and some of his officers, all which were received with great civility by the major-general, and many compliments passed between them. After some discourse they went to dinner, and the major-general so well warmed the friar with good Madera wine, that he spoke Latin so fluently upon transubstantiation, that he confounded himself in his own argument. The prisoners, who came in, were between six and seven hundred, all which were transported; the governor, with the men, as prisoners to Nevis; the women and children to St. Christopher's; all the live stock was also carried up to Nevis, with the negroes, goods, &c. The major-general returned the governor some of his negroes, his horse, arms, apparel, &c. to be carried for him to St. Christopher's. In taking this island, we had about ten men killed and wounded.

While we were thus busied in sacking this place, Colonel Hewetson landed with three hundred Antigua men upon another island belonging to the French, called Marigalanta, beating the inhabitants into the woods, burning their town, nailing their guns, demolishing their fort, and returned to Antigua with the plunder of their island.

During our stay upon St. Bartholomew's, we had an addition of eight or nine sloops, with about fifty men, from some of the neighbouring islands, which the major-general made advantage of; for, on Sunday the nineteenth of January, he sent the brigantine with nine sloops, the like number that had been there before, under the command of Captain Walter Hamilton, to alarm the island of St. Martin's, and the next morning to make a false attack on the windward side. After Captain Hamilton was gone down, the same day the major-general embarked with all his forces in the other sloops, and in the night set sail for the said island, and the next morning, the twentieth, landed all his men on the leeward-side, without any opposition, the enemy having drawn all their forces to the other side of the island: only, after the first company was landed, about twenty of the enemy fired upon them from a breast work, but were soon beat out of it. When all the forces were landed, they marched intire through the body of the country, and, after two miles march, were drawn up in a convenient plain, the enemy being in sight, and, as we thought, advancing towards us. After we had continued an hour in this posture, the enemy retiring, had fired a great building upon a hill, about a mile distant, which seemed to be a fortification; upon which, the major-general marched up to it with the whole body, but found it to be only a large house, which they had burnt, because it should not serve us for shelter; but the stone walls, which remained standing, however, proved serviceable to us, in covering us from their shot. There was a large cistern of water, but they had rendered it unfit for drinking, by throwing salt into it; a pond also, that was adjacent, they had poisoned with tobacco. We had not been long here, before the enemy began to fire upon us from a breast-work, where

where they had two great guns planted upon a hill a quarter of a mile distant, there being a clear valley between us ; on the left hand low and bushy ground, and on the right, a ridge of mountains, with a very thick wood. The major-general sent Captain Birt, with a company of men, to gain the top of the highest mountain, which had the command of the post we were at ; which being done, he left an hundred men, under the command of Captain Geoffery Gibbs, to maintain that post, and marched back into the plain, with the rest of his forces, to secure the avenues, and hinder the enemy from coming upon our backs. Being come down into the plain, himself, with several officers, and about an hundred sentinels, went to drink at a well, where, while they were drinking, they received a volley of about thirty shot from the enemy, who lay hid in the woods ; but it pleased God, though they stood close one by another, there was but one man hurt.

Withdrawing from thence, Major John Stanley was sent with a party to rout them out of the woods ; which he did, beating them from two strong breast-works they had upon a saddle between two hills, opposite to those we had before gained, in which works he posted himself. The passages being both ways secured, the major-general incamped with the body in the middle of the plain that night, and the next morning, the twenty first, our two brass field-pieces, with carriages, and two iron ones without, were brought on shore ; the iron ones were planted in the plain, but the brass were drawn up to the burnt house, where our body was now incamped, and about three in the afternoon we began to play upon the enemy. In the evening, Captain Bartholomew Sharp was sent with one company of men, to cut a path through the wood, that we might make an attack upon the enemy that way ; for in the valley they had four great guns planted directly against the road ; but, being without carriages, they could not bring them to bear upon us as we lay. Captain Sharp had made no great progress in his work before he was discovered, and so hotly dealt with, that he was forced to retreat. All day the enemy kept firing upon us from their breast-work, both with their great guns and small arms, but in the night they silently quitted it.

The next morning, the twenty-second, leaving thirty men at the burnt house, under the command of James Smith, we marched over to the breast-work and demolished it, and also their line, which run down to a well in the valley near their four great guns, which we nailed, together with the other two above. Continuing our march about a mile farther, we came to a fine plain, encompassed with orange and other fruit-trees, where we incamped, there being store of cattle grasing ; at the upper-end of it were three small houses, in one of which were found blood, and dressings of some wounded men, and we understood by two prisoners which we took presently after, that they had near twenty killed and wounded.

The next morning, the twenty-third, the major-general leaving this relator with a sufficient guard in the plain, to take care of the plunder ; he marched with the body against their chief fort, about two miles distant, which he took without any loss, having but one man

wounded, the enemy quitting their fort after a small resistance. It consisted of six great guns mounted upon a platform without carriages, with banks of earth thrown up. After he had nailed and overthrown the guns, he proceeded in his march about four miles farther, and then incamped in a pleasant valley, where was a house and garden belonging to the friar; there they found the governor's horse saddled and bridled, he having left him and fled into the mountains with the inhabitants. This day, Major John Stanley marched over the hills on the other side the island, and engaged a party of the enemy, beating them out of their breast-work, and demolishing it; at night he returned to his post on the saddle.

The twenty-fourth, the major-general continued his march round the island without any opposition, and at night returned to the burnt house, where he again incamped; the plunder being also removed thither.

On Saturday morning, the twenty-fifth, we saw three great ships, a brigantine and a sloop, standing in with the island, and about noon we understood by some prisoners, which we took, landing out of the said sloop, that it was Monsieur Decass, come down from St. Christopher's, with seven-hundred men, to defend the island against us, who they heard had been upon St. Bartholomew's, and they thought us to be yet there. The major-general immediately commanded away guards to all those bays where he thought the enemy would land; but they, seeing our sloops, perceived we were already upon the island, and so came not to an anchor, but gave chase to our sloops who made the best of their way to get clear. One of them, in great danger of being taken, run herself a-ground, but was again hauled off by the enemy, but the men were all got out of her. The master of one of the sloops being at the camp, when the prisoners were brought up, who gave this account, the major-general dispatched him with an express to Antigua, to acquaint the lieutenant-general with our condition, and desire him to send some ships to our assistance.

Decass stood off and on all night, and in the morning, the twenty-sixth, coming close in with the shore, he fired several guns, to give the inhabitants notice of his arrival. About noon he came to an anchor, before the windward part of the island, hanging abroad bloody colours. The inhabitants, encouraged by the coming of these ships, came down out of the mountains, and, finding their fort unmanned, they again took possession of it, replanting and drilling their guns. In the night Decass landed his soldiers, which the major-general having advice of, brought his brass field-pieces from the burnt house into the plain, and planted them on the right and left wing of the body, which was there incamped; the iron pieces being planted before towards each road, having placed strong guards upon the saddle, at the burnt house, and the mountain which commanded it.

In this posture of defence we continued the twenty-seventh, twenty-eighth, and twenty-ninth, the enemy not daring to attack us; they had now three ships more come down from St. Christopher's, which joined with Decass,



On Thursday, the thirtieth, in the morning, arrived Colonel Hewetson, from Antigua with three ships, which the lieutenant-general had sent to our assistance. The French ships at an anchor, perceiving English colours, weighed, and stood out to meet them. About noon they engaged, and after four hours dispute, with little damage on our side, the French bore away, our ships also standing off all night, but in the morning, the thirty-first, they returned. The French ships also appeared in sight, but kept off at a distance. The major-general, having sent the plunder and field-pieces on board, ordered all his out-guards to quit their posts, and march down into the plain, in order to embark; which the enemy perceiving, marched down likewise, and both parties engaged, to the great loss of the enemy, who was beaten into the woods in confusion. The major-general made an honourable retreat, and embarked safe with all his men, except about ten who were killed in the whole action, and three who were taken prisoners, by being asleep in one of the breast-works, when our men quitted them. One of them made his escape and got down to the sea-side, and a boat went and brought him off clear; the other two were afterwards exchanged. There were about twenty more wounded, which with the rest arrived safe at Nevis, on Sunday morning the second of February.

After the major-general's regiment returned up to Nevis, the inhabitants of the said island, considering the service they had done, and their willingness to continue in their defence, against the expected assaults of a neighbouring enemy. In the month of April, 1690, they allowed the said regiment pay, so to continue for six months, except the English fleet should arrive, and then to be allowed pay but one month after the arrival of the said fleet; which happened in June following, at which time, preparations being made for an expedition against St. Christopher's, by all the leeward Caribbee islands, they brought their forces down to the island of Nevis, which was appointed to be the place of general rendezvous, it lying most convenient for the said purpose; and upon Monday the sixteenth of June, 1690, by the command of his Excellency Christopher Codrington, who had now received a commission from their majesties King William and Queen Mary, for captain-general and commander in chief of all their Leeward Caribbee islands, there was a general muster in the island of Nevis, of all their majesties forces raised for the said expedition against St. Christopher's, which, according to the muster-rolls given in, appeared to be as follows, *viz.*

In the Duke of Bolton's regiment, under the command of Lieutenant-general Holt, seven hundred.

In Major-general Thornhill's regiment, under his own command, five-hundred.

In the Antigua regiment, under the command of Colonel Williams, governor of the said island, four-hundred.

In the Montserrat regiment, under the command of Colonel Blackstone, governor of the said island, three-hundred.

In the two Nevis regiments, under the commands of Colonel Pym and Colonel Earl, six-hundred.

In the marine regiment, being a detachment out of the frigates, under the command of Colonel Kegwin, commander of the Assistance, four-hundred.

In the captain-general's guard, under the command of Colonel Byam, one-hundred.

In all, three-thousand men.

Upon Tuesday and Wednesday, being the seventeenth and eighteenth of the said month of June, we embarked for the said expedition; and upon Thursday, the nineteenth, we set sail from Nevis with our whole fleet, consisting of ten men of war, two fire-ships, twelve merchant-men, and about twenty brigantines and sloops; and the same evening we came to an anchor before the island of St. Christopher's in Frigate-bay. In the night eight of our frigates weighed, and fell down three leagues to the leeward, to amuse and harrass the enemy, and the next morning they returned. That day we plied our great guns from some of the frigates, which lay nearest in with the shore, upon the enemy in their trenches, and received some shot in exchange, from a battery of five guns they had there, but without any damage on our side.

That night there was a council of war held on board the admiral, by the general officers and some of the prime commanders, according to the result of which, Major-general Thornhill, with four hundred of his own regiment, and a detachment of one hundred and fifty out of the regiments of Montserrat, Nevis, and Antigua, between two and three of the clock next morning, being Saturday the twenty-first, landed with the forelorn, the field-mark being matches about their left arms, at the little salt-ponds, about a league to windward of the aforesaid Frigate-bay, without any opposition; the enemy having left that place unguarded, by reason of its situation, it lying at the foot of an almost inaccessible hill, over which they thought it an impossibility to march. This steep ascent we mounted by a path frequented by none but wild goats, and in some places so near a perpendicular, that we were forced to use our hands as well as our feet in climbing up. About break of day we gained the top, where we received a volley of about seven or eight shot, from some scouts there placed, who immediately, upon their firing, retreated; which wounded us two brisk commanders, one of which died of his wounds soon after. The major-general, leaving one company to secure the pass upon the hill, led his men down about a third part of it, before they were discovered by the enemy, who now began to fire briskly upon us from their trenches, wounding several of our men; and the major-general himself received an unfortunate shot through the small of his left leg, which obliged him to stay the binding of it up; but his men, running down briskly upon the enemy, and flanking them in their trenches, and the Duke of Bolton's and the marine regiments landing at the same time at Frigate-bay, in which action Colonel Kegwin received a mortal wound, forced them to quit their post in disorder, and leave us masters of the field. We found fourteen of them dead, we having lost half the number, besides wounded men.

All our forces being landed, and the major-general with the

wounded men sent on board, the army was drawn up into four battalions; the Duke of Bolton's regiment, in the van, was ordered to take the road adjoining to the sea; the major-general's regiment, under the command of Lieutenant-colonel John Thomas, in the body, was ordered to march through the country; and the Antigua regiment was commanded to march at a distance, as a reserve to the body; the other four regiments were to keep their posts, and wait for farther orders. After an hour's march, the Duke of Bolton's regiment encountered a small party of the enemy, and soon put them to the rout; immediately after those French companies which ran from Frigate-bay, joining with the rest of their forces, which were gathered from all parts of the island, were advancing upon our body; they having much the advantage of ground, and three to one in number; and, after a sharp dispute of half an hour, they had almost surrounded us. But Colonel Williams, coming up with the reserve, and giving them an unexpected and vigorous assault, so encouraged the major-general's regiment, that they pressed resolutely on, and beat the enemy out of the field in confusion; one part flying to the mountains, and the rest betaking themselves to the fort, which formerly belonged to the English.

Orders being sent to the four regiments at Frigate-bay, to march up, and the Duke of Bolton's regiment also meeting us, the whole army was drawn up into an intire body, and the soldiers were permitted to drink by companies, at the adjacent wells and cisterns.

While the army was thus refreshing, the cockswain of the *Mary* frigate came with advice to the captain-general that, the frigates having fallen down before the town and fort of Basterre, the enemy, after firing two or three rounds, had struck their flag, set the town on fire, and quitted it; but, by the diligence of the seamen who came on shore from the frigates, it was happily extinguished. Upon which advice the Captain-general marched immediately away to the said town, with intent to quarter the army therein for that night; but, the enemy having left store of wines and other liquors behind them, and fearing the disorders it might breed among the soldiers, he altered his resolutions, and only making a halt there, and placing his own company of guards in the mass-house, commanded the army to march to the Jesuits convent, lying about a mile above the town, where being again drawn up, and orders given to lie by their arms all night, centries were placed, and some parties sent to drive in cattle, there being store of flour, bread, &c. in the convent. The night proved very wet, it raining without intermission till morning; but the officers generously shared the weather with the centinels, scarce any, except the general officers, going into the convent for shelter.

The next morning, being Sunday the twenty-second, the commissary-general having secured the liquors in a convenient store-house, the army marched down to the town, and free liberty was granted them to plunder it; wine and brandy being also distributed to them, by the respective commissaries of each regiment. The fort here consisted of sixteen guns, which they had nailed and spiked, but, by the diligence of our men, they were again cleared. In the afternoon, a

detachment of one hundred and fifty men, out of the Antigua regiment, was sent under the command of Major Gunthorpe, to gain and secure a pass, which was thought to be possessed by the enemy, lying in the way to the English fort; but, when they came, they found it quitted.

Monday, the twenty-third, we continued all day in the town; and in the evening the country was in flames all round, being fired by the English negroes who came from the mountains, where they had lain since their masters the English were beaten off the island.

On Tuesday, the twenty-fourth, we began our march towards the fort, and that night incamped about three miles from it, having the like fortune of rainy weather, without any means to avoid it. This day the frigates weighed from Basterre, and fell down to Old Road, where they came again to an anchor.

Wednesday, the twenty-fifth, we continued our camp at Old Road, and the wheelbarrows, shovels, pickaxes, &c. were brought on shore.

On Thursday morning, the twenty-sixth, we marched within a mile of the fort, and incamped under the covert of a high hill, a detachment out of Colonel Earl's regiment being sent under the command of Captain William Butler, to secure the top of it.

On Friday, the twenty-seventh, the Mary's two chace-guns, six pounders, were brought on shore, in order to be drawn up to the top of the hill, and the marine regiment under the command of Colonel Kirkby, commander of the Success. Colonel Kegwin, being dead of his wound he received in landing, was employed in cutting and clearing a path for the drawing them up.

On Saturday and Sunday, the twenty-eighth and twenty-ninth, the marine regiment so vigorously pursued their business, that they had drawn the guns to the top of the hill, and planted them upon a platform they had laid for them, with baskets of earth thrown up for a covering from the enemies shot, it lying open to the fort.

On Monday morning, the thirtieth, powder, shot, &c. being carried up, they began to play upon the fort, the very first shot doing execution, and the frigates also, weighing from Old Road, stood down to the fort, and battered against it; the whole army at the same time marching into a deep and wide ditch, between the hill and the fort, within musket-shot of it. In the afternoon, the frigates stood up again to Old Road, but the guns from the hill kept playing incessantly till night, at which time we began our intrenchments, running, from the ditch where we lay incamped, a trench, with a half-moon at the end, capable of holding four-hundred men.

On Tuesday the first of July, one of the Nevis regiments and part of the Antigua regiment, were sent under the command of Colonel Charles Pym, to take a small fort of the enemies about three miles distant from the camp, which they successfully surprised, taking about fifty prisoners in it.

This evening, lieutenant-general Holt having given orders to the out-centries that were placed towards the fort, to fire, without challenging, at any who should come that way; himself afterwards, rid-

ing by them in the twilight to view the works, was shot into the body, by one Gibbons, an Irishman, who was one of the centries. He returned to the camp and languished long of it with little hopes of recovery ; Gibbons was afterwards tried by a court-martial, but after a full hearing acquitted.

On Wednesday, the second, those guns on the hill proving so serviceable, there were four more of a larger size drawn up ; but, one of them splitting at the first time of firing, and the rest being incommodiously planted, they were no more made use of. This day four companies of the enemy marched out of the fort, and drew up before the gate, but in a quarter of an hour they marched in again. The half-moon being now finished, we run another trench about a quarter of a mile below it, able to contain the like number of men ; and, at the like distance below that, we began another, wide enough to draw the carriages of the great guns through.

The third, fourth, fifth, and sixth days, we continued in the day-time quiet in our trenches, in the night running on with our works ; the enemy firing day and night upon us with great guns and small arms, but doing us little damage ; but the guns on the hill galled them exceedingly, leaving no corner of the fort unsearched.

Some hundreds of the enemy being out in the mountains, headed by one Monsieur Pinelle, parties were sent daily abroad, commanded by the officers in their turns, to scour them out ; and on Monday, the seventh, the major-general, his wound being well healed, went himself at the head of two-hundred men, upon the same design ; but could not meet with the enemy to engage them, they lurking sometimes in one place, and sometimes in another.

On Wednesday, the ninth, he returned to the camp, with some prisoners, many negroes, and great store of cattle. After the major-general's return, proclamation being made, by beat of drum, in several places of the island, by the command of the captain-general, that all, which would come in within three days, should receive his protection, to secure their persons from the outrages of the soldiers ; several families surrendered themselves, to many of which was also granted liberty to return to their houses, and keep some small stock till farther orders.

Monsieur Pinelle, also, sent in a flag of truce from the mountains, to acquaint the captain-general, that he could not come in without leave from the governor ; but, however, he assured him, he would remain quiet, and give free passage to any of our men he should meet with.

The tenth and eleventh, we continued in our trenches, we which had now run within pistol-shot of the fort.

Over-against the gate we had a half-moon, on which we planted several colours. On the left hand of the half-moon was a battery raised for six great guns, two eighteen pounders, and four twelve pounders ; but, before they were mounted, on Saturday, the twelfth, about one in the afternoon, the drums beat a parley in the fort, and four persons marched out with a flag of truce. They were met in the pasture between our trench and the fort, by Major Legard, and

by him conducted to the captain-general; and, after some treaty, hostages were given on both sides, one of the majors continuing with us, and Lieutenant-colonel Nott was sent to them; Captain Hamilton also going with him as an interpreter. But, notwithstanding the treaty, the captain-general continued his works, joining our trench to the enemies trench, through which they used to come from the fort to the well; our centries were placed under the walls, and at the gate of the fort, and that evening our guns were also mounted upon the battery.

About twelve of the clock in the night, there was a canoe let over the fort-walls, it being situated by the sea-side, which run on board a sloop that came close in with the shore, under the covert of the dark night; our men let fly a whole volley upon them, which made them hasten away. Captain Hamilton came to the centry at the fort-gate, and ordered him to acquaint the major-general, that there was a ship seen off; upon which this relator was dispatched away to Old Road, to give Admiral Wright notice of it, but, in the interim, a brigantine was sent in pursuit of the sloop; the admiral immediately ordered two frigates to weigh, and put out in search of the said ship and sloop; which they did, and the next day, the thirteenth, returned without seeing any vessels.

During the whole action upon this island there were two frigates that cruised about, to take any French vessels which might arrive there, either by design or chance, but they met with none.

On Monday, the fourteenth, the fort was surrendered to the captain-general, upon the same articles that it was before delivered up to the French. After the enemy marched out, and the English flag was put up, the king's and queen's healths were drank, and the great guns three times fired, three volleys being also made by the whole army. The fort was quadrangular, consisting of four flankers with a curtain between each; on each flanker were mounted five guns; the walls were of stone, about twenty feet high, surrounded with a deep ditch twelve feet wide, over which was a narrow wooden bridge. In the middle of the fort were two mounts thrown up for batteries; there was also a well, but, upon firing the guns, the water would instantly dry away. There was store of provision, liquors, and powder, but they wanted shot.

In retaking this island, we had about an hundred men killed and wounded; the island in general is very strong, there being several small fortifications and breast-works all around, except where it is naturally fortified with hills or shoals. The inhabitants were about eighteen-hundred men, besides women and children, and negroes, all which, except the negroes, which were to be divided as plunder, were transported to the island of Hispaniola; only some particular persons had the favour granted them to be carried up to Martinico.

After a week's refreshment, the major-general, on Sunday, the twentieth of the said month of July, embarked with his own regiment in the sloops, and the marine regiment on board the frigates, and set sail for the island of St. Eustace; and the same evening, lying

before the said island, he sent Captain Hamilton on shore, with a flag of truce, to summon the island to surrender, who returned with an answer from the governor, that he would defend it to the utmost.

The next morning, the twenty-first, the frigates began to batter against the fort, and the major-general landed at the same time with his men under a high cliff, which they ascended; being got up, they had not marched far, before they perceived some Dutch colours in the woods; upon which a party was sent to discover them, who returned with an account, that it was Colonel Scorer, the governor of the island for the Dutch, when the French took it, with one-hundred men under his command, who came from Saba, and landed there three days before; but, not having strength enough to take the fort, into which the inhabitants were fled, he designed to get what plunder he could, and so go off again. He refused to join with the major-general, because he was first landed, and so accordingly went off the next day. The major-general proceeded in his march towards the fort, and incamped within musquet-shot from it, under the rising of a small hill.

The next day the marine regiment landed, and, the shovels, pick-axes, &c. being brought on shore, they began their intrenchments, running their trench along by the fort, within musquet-shot from it.

After five days siege, the enemy sent out a flag of truce, with articles; but they were so high in their demands, that the major-general refused them, and returned an answer, if they did not descend to more reasonable terms, within three days, he would grant them no quarter. Within the prescribed time, they came out again with a flag of truce, and surrendered themselves and their fort upon quarter for life, and to march out with their baggage. Their fort contained sixteen great guns; it was surrounded with double rows of stakes, the intervals filled with earth, and without that strong palisadoes, and on the outside of them a deep ditch, over which was a narrow bridge leading into the gate, admitting but one at a time; the besieged were about sixty men, the women and children being sent off some time before; they had a well for water, and about twenty barrels of flour, some salt fish and pork, and a small quantity of ammunition; they behaved themselves very briskly, during the siege, especially the governor, who was very active in firing the great guns, &c.

In taking this island, we had not above eight men killed and wounded. The major-general, leaving one company upon the island, under the command of Lieutenant John Mac-Arthur, returned to St. Christopher's with the whole fleet, carrying the inhabitants prisoners thither, and afterwards transporting them to Hispaniola. Lieutenant Pilkinton was afterwards sent down with a company out of the Duke of Bolton's regiment, to relieve Lieutenant Mac-Arthur, and he still continues there, for the defence of the said island.

The inhabitants of the island of St. Bartholomew's who were brought up prisoners from thence to Nevis, being sent down to St. Christopher's, before that island was retaken, there met with their wives and families; and, after that island was retaken, they were desirous to live under an English government; upon which the captain-

general gave them liberty to return to their island, transporting them thither, and granting a commission to one Captain Le Grand, a former inhabitant among them, to be their governor, and to keep and defend the island in the name and behalf of their majesties, King William and Queen Mary, under which government it still continues.

In the latter end of October, this relator's concerns calling him home to England, he left the Caribbee islands; the captain-general having then issued out orders for the mustering their majesties forces, and getting them in a readiness to embark upon a farther expedition, against Guadalupe, and other French islands, leaving a garrison upon St. Christopher's under the command of Lieutenant-colonel Nott.

Thus you have a brief and plain relation of the success of the English arms in the Caribbee islands, and it may reasonably be concluded, that, as the English affairs there have hitherto been happily prosperous, so, being under the management and conduct of such prudent and active generals, and promoted by the forwardness of the soldiery, but principally by a divine blessing attending upon their endeavours, they will soon put a successful period to those troublesome wars, and root the French interest out of that part of the world.

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A

## LATE VOYAGE TO HOLLAND,

WITH

### BRIEF RELATIONS OF THE TRANSACTIONS AT THE HAGUE;

ALSO REMARKS ON THE MANNERS AND CUSTOMS, NATURE,  
AND COMICAL HUMOURS OF THE PEOPLE;

THEIR RELIGION, GOVERNMENT, HABITATIONS, WAY OF LIVING,  
AND MANNER OF TREATING STRANGERS, ESPECIALLY THE ENGLISH.

Written by an ENGLISH GENTLEMAN attending the Court of the  
KING OF GREAT BRITAIN.

[Printed in 1691. Duodecimo, containing forty pages.]

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and the several Princes. Sect. IV. Containing particular Observations on the Manners, Customs, Nature, and comical Humours of the Dutch Boars or Peasants; the Nature of their Habitations, Way of Living, and Manner of treating Strangers, especially the English. Sect. V. Of the Nature of the Country in general, its Situation, the Way of Travelling, Expences, &c. Sect. VI. Of the People of Holland in general, their several Ranks and Degrees, with their Manners, Humours, and Dispositions. Sect. VII. Of their Religion, the different and incredible number of Sects among the People, particularly in Amsterdam. Sect. VIII. Of their way of Trade, Intrigues in Over-reaching, and manner of Increase in Wealth, &c. Sect. IX. Of their Military Forces by Sea and Land, with their State Revenues, &c.

## SECT. I.

*The Accidents that fell out in our Voyage, &c.*

**W**E departed from London, Thursday January the sixteenth, 1690, about nine in the morning, and came that night to Cittingbourn; the next day, about noon, we came to Margaret, in the isle of Thanet; and, the same evening, we went on board the frigate that carried his majesty's musick, which lay then in the road, with the rest of the fleet, commanded by Admiral Rooke. Early the next morning, being Saturday the seventeenth, the king arrived from Gravesend, attended by the Dukes of Norfolk and Ormond, the Earls of Devonshire, Dorset, and Portland, and other grandees of the court: About noon, the signal being given from the admiral, the whole fleet, consisting of twelve men of war, seven yachts, and many tenders, set sail, with a fair gale. On Tuesday the twentieth, we came in sight of the coast of Holland, near the island of Goree; but, the weather being darkened with fogs, and the shore choaked up with heaps of ice, piled up one upon another, it was not for us to come near: However, the king put himself into a shallop to get to the land, notwithstanding the danger that threatened him; and, when all the rest were terrified with the perils, wherein his majesty ventured his person, and the seamen themselves were not in a little terror, it was observed, that he himself was the only person nothing at all dismayed. In the mean time, the fogs grew thicker and thicker, insomuch that we, who were in the man of war, soon lost sight of the shallop where the king was; and, night coming on, his majesty was for ten hours exposed to all the injuries of the air, and the waves of the sea, which sometimes came into the shallop; so that the lords, who were with him, had their cloaths all covered with ice. However, the next morning his majesty landed in the island of Goree, and went into a country-man's house, which had no more room to receive him, and all the lords of his train, than one miserable chamber and a kitchen; but it was a welcome retreat after so great a hazard. After the king had shifted his linnen and his cloaths, and had been complimented by the magistrate of the island, who offered him his house, which his majesty refused, he took coach again in the same coach

that brought him to the country-man's house, and went a-board the shallop again, to land upon the firm continent; but then he met with new difficulties, for the small vessel could not get near the shore for the ice; so that two seamen were forced to take the king in their arms, and carry him to the shallop: At last, his majesty, with our whole fleet of tenders, (the men of war returning for England) arrived at a place called Orangie Poldar; here his majesty was complimented by the Prince of Nassau Sarbrach, camp-marshal, the Count of Berka, the emperor's extraordinary envoy, Monsieur Catonna, the Spanish ambassador, the deputies of the States of Holland, the Prince of Friezeland, Count Horn, and several other persons of the highest quality, who attended him to Houslaerdike, where he reposed himself for some hours. It was thought his majesty would have continued here for some days, till all things were ready for the magnificent entry, they were resolved to make for him. But he told them, he desired none of those honours, well knowing that the glory of a prince does not consist in appearing, but in acting. The king therefore went the same day to the Hague, and arrived there about six in the evening, accompanied with the lords already mentioned, and surrounded with the guards of the body. And, in regard the king's coming was in a manner a kind of surprise, his entrance was also without any ceremony. So that all that could be done, in testimony of the publick joy, was only by some peals of cannon, and ringing the bells.

Nevertheless, the burgesses of the Hague had prepared, a long time before, for his majesty's publick entry, and had been at considerable charges to make a glorious appearance; and all the towns adjoining had prepared to be present at the solemnity. In a word, all the Hollanders were willing to see the king in publick, and to assure themselves, with their own eyes, that a prince, whom they love so infinitely, and of whom the common enemy had spread so many false reports, was still alive, and returned into their provinces, which obliged the States to intreat his majesty to make a publick entry; which he refused a long time, in that such ceremonies were but the loss of that time, which he had resolved to spend altogether in action. At length, all that they could obtain from the king was, that he would dine about a quarter of a league from the Hague, at a house of the Earl of Portland's, and return in his coach through the midst of the burgesses, ranged in files, from the court to the end of the city; which was done on Thursday, February the twenty-second, about four of the clock in the afternoon, to the inexpressible satisfaction of the people, all the inhabitants of the towns round about being got together; and perhaps there never was seen at the Hague such a vast concourse of people.

I shall not spend time in describing all the particulars of this entry, which had nothing of extraordinary magnificence, except the three triumphant arches, which surpassed, in beauty and magnificence, all that was ever made in France, under the reign of Lewis the Fourteenth, upon the like occasions. There you might see represented the principal actions of the king, in honour of whom they

were erected, accompanied with several inscriptions and devices perfectly corresponding with the subjects to which they were applied, and which appeared to be done by the hand of a master. There you might particularly see Europe delivered from the gripes of her ravisher; the liberty of Holland defended and preserved; that of England restored; Ireland subdued; and the Protestant religion maintained. The whole ceremony ended in the evening with fire-works in several places of the city, several peals of cannon, and volleys of small shot discharged, as well by the burgesses, as by the regiment of Trison which was in arms, with bonfires and fire-works, before the court. After all was over, they still continued giving several testimonies of their satisfaction to see once more a prince so highly beloved by the Hollanders; and, in regard the whole proceeded from a sincere affection, there is a great probability that these rejoicings will long endure.

On the other side, the king manifested an extraordinary goodness and affability to all societies, and private persons that came to kiss his hands. Admiral Trump was one of this number, and his majesty honoured him with the command of the Holland fleet for this summer's expedition: which was no sooner spread about the country, but you might sensibly perceive an augmentation of joy among the Hollanders, for the king's coming. His coach was environed with crouds of people that followed him where-ever he went; and by a thousand acclamations testified their satisfaction, that William the Conqueror would command their army by land; and Trump, who justly may be called a second Neptune, was to command their fleet by sea. And here, for the present, I shall break off my relations of the transactions at the Hague, and divert the reader with my observations on the place.

## SECT II.

### *Containing a Description of the Hague.*



THIS curious village and most delightful place, the residence of that august senate, which has been, as it were, the arbiter of peace and war to all Europe, whose charms are so great, its buildings so stately and magnificent, and its streets so large, its shades so sweet, its inhabitants so civil, and so good-natured, that one may call it the 'Delight of the world.' It hath three very pretty and delightful meadows on the side of Delph, and mountains of sand on the other side, to cover it from the rage of the ocean, which is not above half a league distant from it; at the end of which is the small village called Scheveling, which is inhabited chiefly with fishermen, where is a curious hard sandy shore, admirably contrived by nature, for the divertisement of persons of quality; and here, in the summer-time, the states, foreign ambassadors, and their ladies, &c. in their coaches and six horses, ride on the sands for several leagues. The road from the Hague to this village is a late made way, cut through vast deep mountains of sand, paved through with curious stone, a work fit for the ancient Romans,

That side, which looks to Leyden, hath a very pretty and large wood, with curious walks and groves, of oak, elm, and lime-trees, where there is a park stored with variety of deer. The inhabitants take the air there in the summer season, with a divertisement capable to render them envied even among the gods: moved by this, that the pretty ladies take their pleasure, without fear of the fabulous plunder, so much celebrated by the Greeks, whereby possibly they sometimes make them real and veritable.

The counts of Holland frequently kept their courts in this palace, chiefly moved thereunto, by the pleasantness of the place, and its commodious situation for hunting; our king (when Prince of Orange) kept his court at this place, where he has a most stately palace, the back part of which, with the great hall, sufficiently testify its antiquity. There is on the side of it a great square, in which place, on the side of the Levant, are three magnificent lodgments, built a few years since; the Doeles make the corner, whereof his present majesty, they say, laid the first stone: over-against the other corner, is another palace, built by Prince Maurice of Nassau, in which are to be seen the pourtraitures of all the kings in Europe, with many curiosities brought from America. The Voorhant frontispiece, as well as the houses that face the court on the side of the Vivier, make by far the pleasantest quarter of the Hague, by reason of the largeness and spaciousness of the streets, and the number of trees that are planted there; you may see great numbers of persons of quality of both sexes resort thither in the evening, some in their coaches, and some on foot. The cloister of the Jacobines, which was built on the said Voorhant, at this day still retains the name of the Church of the Cloister.

There is another church, built much after the form of the theatre in Oxon, and is so admirable a piece of architecture without, that none within the Seven Provinces (or scarce in the world) is comparable to it; there are no pillars within, so that the minister may be seen, in every place of the church, by thousands of people without any impediment. The counts of Holland's chapel, which is in the court, is at this day a church for the French refugees; there are two pretty places like squares, the one before, and the other behind the court, where all the houses resemble those of princes.

The States of Holland reside here, as well the counsellors of the provincial court, as of the grand council. The cities of Holland have built here very magnificent houses for their deputies, of which in my opinion that of Leyden is one of the best situated, and next the court. The ambassadors of princes, the states allies, have their residence here. The Groote Kerk, or great church, is very fine, in the midst of which is to be seen the arms of the famous knights, the order of Toyson d'ore, which plainly shows, that they there celebrated the feast of the said Toyson: The tower is very high, and its form is quadrangular, built with bricks, which may be seen at a vast distance: In fine, this place is, at all times, so well inhabited by gentry, and persons of the greatest quality, that, if we consider its splendor, the magnificence of its buildings and streets, the affluence

of the nobles, and the pleasure of converse, the Hague is one of the prettiest courts, and the most agreeable in the universe.

### SECT. III.

#### *Some further Relation on the Affairs and Transactions at the Hague.*

AFTER the king came to the Hague, few days past without the arrival of some princes, or other considerable persons, as well to have the honour to wait upon his majesty, as to confer with him about the present affairs. It is true that most of the princes came *incognito*, as well to avoid the disputes of precedency, as to confer more familiarly together, and without the pesterment of formalities. The elector of Brandenburg, who lay at Cleves for some time, in expectation of the king's coming, no sooner heard of his arrival by the couriers that were forthwith dispatched to give him notice thereof, but he hastened to the Hague, where he arrived *incognito*, the twenty-fourth of January. The Duke of Wirtembergh, prince regent, during the minority of the heir, and the prince his brother arrived the twenty-ninth, and were admitted to the king a little time after. The Count of Windisgrats, from the emperor, arrived, February the fourth, and was immediately admitted to the king. The Duke of Bavaria arrived the sixth, about ten of the clock at night, and went to wait upon the king the next day, about four o'clock in the afternoon, with whom he had a conference of two hours long. The Marquis of Castanaga, governor of the Spanish Netherlands, arrived the next day with a jolly train, of which, however, but one part appeared, because the princes were *incognito*. The Landgrave of Hesse-Cassel arrived the eleventh, accompanied by the Count of Lippe, the Baron of Gars, and several other lords. The Prince of Commerci, general of the imperial forces, arrived the fifteenth. The Duke, and one Prince of Courland, arrived the next day. The king regaled the greatest part of these princes, and was also pleased to accept of entertainments at some of their houses. It would be too long to make a recital of all these feasts. I shall only therefore mention two, to shew what are the principal ceremonies observed upon such occasions.

His majesty gave an entertainment to the Elector of Brandenburg, the third of February, at his house in the wood. The king had an hour's conference with the elector, which being ended, they entered into a spacious dining-room, where was a table and cloth laid, with one only single vermeil furniture (consisting of the gold plate, fine napkins, knife, fork, and spoon) and an elbow-chair, where the king sat down. After that, a chair was brought for the elector, with a white sattin cushion, and a vermeil furniture laid him, like the king's. Then the king commanded seats and furnitures to be brought for all the rest of the lords that were present, who were placed in this order: The elector on the king's right hand; next to whom sat the Duke of Ormond, the Earl of Scarborough, Monsieur Colbar, and Monsieur Dankelman: The Earl of Portland sat at the lower end of the table, just opposite to the king; the Duke of Norfolk on the king's left

hand; next to whom sat the Count of Denhoff, and then the General Spaen closed that side of the table, next to the Earl of Portland. The first health was begun by the king, who whispered it softly to the elector, and the elector to the rest, without naming it; after that, the king began several other healths, which he carried to the elector, and the elector to the rest, without naming. The king and the elector were served each of them by a page, all people being put out of the room, with orders given to the guards to let no-body enter. The drums beat, and the trumpets sounded, when the king and the elector drank, but not for any of the rest.

The fifth of the same month, the king dined with the Elector of Brandenburg, who went out into the very street to receive him, and carried him into a spacious dining-room, where the table was covered with eleven furnitures; and, in a short time after, the meat was served up. The king sat in an elbow-chair; on the king's right-hand sat the lord chamberlain, and then the Earl of Portland; on the left-hand of the elector sat the Duke of Ormond, and then the other lords of the court, without any distinction of precedence; and Monsieur Colbar performed the office of esquire carver: The king's butler was also present to pour out the wine. The king was served by one of his pages, and two of his gentlemen stood behind his chair. When the king returned, the elector accompanied him to the very boot of his coach. All these divertisements of entertainment and pleasure were intermixed with serious conferences, his majesty being unwilling to lose a moment of consultation for the general good of the confederate affairs; but all these conferences are kept so secret, that it is impossible to penetrate the knowledge of them; nor shall we understand the conclusions, but by the effects that will follow. The king has sat in the assembly of the States General, in that of the States of Holland, and in the council of state; to all which bodies he expressed himself in most affectionate terms; which makes it appear, that his new dignity has no way lessened the love and affection which he had for those provinces.

On the first of March, the Duke of Zell arrived at the Hague; and the Duke of Wolfenbittel, his brother, the Tuesday following. The Elector of Bavaria went the same day to Amsterdam. On the sixth, the king set out for Loo, the Duke of Zell going in the coach with him, and the Elector of Bavaria followed, the next day. The day before, the Elector of Brandenburg and the Landgrave of Hesse went strait home, and the rest of the princes parted with mutual satisfaction; and, my noble lord returning for England, I attended on him.

#### SECT. IV.

*Containing particular Observations on the Manners, Nature, and Humours of the Dutch Boors, or Peasants; the Nature of their Habitations, and way of Living.*

THEIR soil (where they inhabit) is all fat, though wanting the colour to shew it so; for, indeed, it is the buttock of the world, full of

veins and blood, but no bones in it; it is a singular place to fat monkeys in. There are spiders almost as big as small shrimps; their gardens, being moist, abound with them, and, were they but venomous, to gather herbs were to hazard martyrdom.

You may travel among them, though you have not a guide, for you cannot baulk your road, without the hazard of drowning. There is not there any use of an harbinger. Wheresoever men go, the way is made before them, where, if your foreman be sober, you may travel in safety; otherwise you must have stronger faith than Peter had, else you sink immediately. A starting horse endangers you to two deaths at once, breaking of your neck, and drowning.

Some things the boors do here, that seem wonders. It is ordinary to see them fish for fire in water, which they catch in nets, and transport to land in their boots; where they spread it more smoothly, than a mercer doth his velvet, when he would hook in an heir, upon his coming to age. Thus, lying in a field, you would think you saw a cantle of green cheese, spread over with black butter.

Their ordinary pack-horses are all of wood, carrying their bridles in their tails, and their burdens in their bellies. When they travel, they touch no ground, and, when they stand still, they ride; and are never in danger, but when they drink up too much of their way.

The elements are here at variance, the subtle overswaying the grosser. The fire consumes the earth, and the air the water. They burn turfs, and drain their grounds with windmills, as if the cholick were a remedy for the stone, and they would prove, against philosophy, the world's conflagration to be natural, even shewing thereby, that the very element of earth is combustible.

The land, that they have, they keep as neatly, as a courtier does his beard; they have a method in mowing; it is so intervened with water and rivers, that it is impossible to make a common among them.

Though their country be part of a main land, yet every house almost, that is inhabited by the boors, stands in an island; and that, though the boor dwells in it, looks as smug, as a lady that hath newly locked up her colours, and laid by her irons. A gallant masquing-suit fits not more compleat, than a coat of thatch, though of many years wearing.

If it stand dry, it is embraced by vines; but, if you find it lower seated, it is only a close arbour, in a plump of willows and alders, pleasant enough, while the dog-days last.

The bridge to this is a fir-plank, with a box of stones to poise it withal; which, with the least help, turns round, like the executioner, when he whips off a head: That, when the master is over, stands drawn, and then he is in his castle. It is sure his fear, that renders him suspicious; that he may, therefore, certainly see who enters, you shall ever find his window made over his door.

When you are entered the house, the first thing you encounter is a looking-glass; no question but a true emblem of politick hospitality; for, though it reflect yourself in your own figure, yet it is no longer, than while you are there before it: When you are gone

once, it flatters the next comer, without the least remembrance that you ever were there.

The next are the vessels of the house, marshalled about the room like watchmen, as neat as if you were in a citizen's wife's cabinet; for, unless it be themselves, they let none of Gods creatures lose any thing of their native beauty. The lining of their houses is more rich than the outside, not in hangings, but pictures, which even the poorest of the boors are there furnished with: Not a cobbler but has his toys for ornament. Were the knacks of all their houses set together, there would not be such another Bartholomew-fair in Europe.

Their beds are no other than land-cabins, high enough to need a ladder, or stairs: Up once, you are walled in with wainscot, and that is good discretion to avoid the trouble of making your will every night; for once falling out, else, would break your neck perfectly. But, if you die in it, this comfort you shall leave your friends, that you died in clean linnen.

You may sooner convert a Jew, than to make an ordinary Dutchman yield to arguments that cross him. An old bawd is easilier turned saint, than a waggoner persuaded not to bait thrice in nine miles; and, when he doth, his horses must not stir, but have their manger brought them into the way, where, in a top sweat, they eat their grass, and drink their water, and presently after hurry away; for they ever drive, as if they were all the sons of Nimshi, and were furiously either pursuing an enemy, or flying from him.

They are seldom deceived, for they trust no-body; so, by consequence, are better to hold a fort, than win it; yet they can do both. Trust them you must, if you travel; for to ask a bill of particulars is to put in a wasp's nest; you must pay what they ask, as sure as if it were the assessment of a subsidy.

Compliments is an idleness they were never trained up in; and it is their happiness, that court-vanities have not stole away their minds from business.

Sailors among them are as common, as beggars with us: They can drink, rail, swear, &c. but, examining their use, a mess of their knaves are worth a million of ours, for they, in a boisterous rudeness, can work, and live, and toil; whereas ours will rather laize themselves to poverty, and, like cabbages left out in winter, rot away in the loathsomeness of a nauseous sloth.

Most of them are seamen born, and, like frogs, can live both on land and water. Not a country-urister, but can handle an oar, steer a boat, raise a mast, and beat you out, in the roughest straits you come in. The ship she avouches much better for sleep, than a bed.

In their families they are all equals, and you have no way to know the master and mistress, but by taking them in bed together. It may be those are they; otherwise Malky can prate as much, laugh as loud, be as bold, and sit, as well as her mistress.

Their women would have good faces, if they did not mar them with making. Their ear-wires have so nipped in their cheeks, that you would think some fairy, to do them a mischief, had pinched them



behind with tongs. These they dress, as if they would shew you all their wit lay behind, and they needs would cover it; and, thus ordered, they have much more for head than face.

They love the English gentry well; and, when soldiers come over to be billeted among them, they are emulous in chusing of their guest, who fares much the better for being liked by his hostess.

The habit of the men is much after the Tarpaulian fashion, their breeches yawning at the knees, as if they were about to swallow his legs unmercifully.

The women are far from going naked, for, of a whole woman, you can see but half a face: As for her hand, that shews her a sore labourer; which you shall ever find (as it were in recompence) loaden with rings to the cracking of her fingers.

Where the woman lies in, the ringle of the door does penance, and is lapped about with linnen, either to shew you, that loud knocking may wake the child, or else that, for a month, the ring is not to be run at. But, if the child be dead, there is thrust out a nosegay, tied to a stick's end, perhaps for an emblem of the life of man, which may wither as soon as born; or else to let you know, that, though these fade upon their gathering, yet, from the same stock, the next year a new shoot may spring.

In short, they are a race of people diligent rather than laborious, dull and slow of understanding, and so not dealt with by hasty words, but managed easily by soft and fair; and yielding to plain reason, if you give them time to understand it. They know no other good, but the supply of what nature requires, and the common increase of wealth. They feed most upon herbs, roots, and milks; and, by that means, I suppose, neither their strength, nor vigour, seems answerable to the size, or bulk of their bodies.

#### SECT. V.

##### *Of the Nature of the Country in general, its Situation, &c.*

FOUR of these provinces, viz. those of Holland, Zealand, Friesland, and Groninguen, are seated upon the sea, and make the strength and greatness of this state: The other three, with the conquered towns in Brabant, Flanders, and Cleves, make only the outworks, or frontiers, serving only for safety and defence of these.

The soil of the whole province of Holland is generally flat, like the sea in a calm, and looks as if, after a long contention between land and water, which it should belong to, it had at length been divided between them. For, to consider the great rivers, and the strange number of canals, that are found in this province, and do not only lead to every great town, but almost to every village, and the infinity of sails, that are seen every where, coursing up and down upon them, one would imagine the water to have shared with the land; and the people, that live in boats, to hold some proportion with those that live in houses. And this is one great advantage towards trade, which is natural to the situation, and not to be attained in any country, where there is not the same level and softness of soil, which

makes the cutting of canals so easy work, as to be attempted almost by every private man; and one horse shall draw, in a boat, more than fifty can do by a cart; whereas carriage makes a great part of the price in all heavy commodities: and, by this easy way of travelling, an industrious man loses no time from his business, for he writes, or eats, or sleeps, while he goes; whereas the time of labouring or industrious men, is the greatest native commodity of any country.

There is, besides, one very great lake of fresh water still remaining in this province, by the name of Harlem Maer, which might, as they say, be easily drained; but the city of Leyden, having no other way of refreshing their town, or renewing the water of their canals, but from this Maer, will never consent to it.

Another advantage of their situation of trade, is made by those two great rivers of the Rhine and Maese, reaching up, and navigable, so mighty a length, into so rich and populous countries of the higher and lower Germany; which, as it brings down all the commodities from those parts to the magazines in Holland, that vent them by their shipping into all parts of the world, where the market calls for them; so, with something more labour and time, it returns all the merchandise of other parts into those countries, that are seated upon these streams.

The flatness of their land exposes it to the danger of the sea, and forces them to infinite charge, in the continual fences and repairs of their banks to oppose it; which employ yearly more men, than all the corn of the province of Holland could maintain. They have found the common sea-weed to be the best material for these digues, which fastens with a thin mixture of earth, yields a little to the force of the sea, and returns when the waves give back.

The extreme moisture of the air I take to be the occasion of the great neatness in their towns; for, without the help of those customs, their country would not be habitable by such crowds of people, but the air would corrupt upon every hot season, and expose the inhabitants to general and infectious diseases, which they hardly escape three summers together, especially about Leyden, where the waters are not so easily renewed; and, for this reason, I suppose it is, that Leyden is found to be the neatest and cleanest kept of all their towns.

The same moisture of air makes all metals apt to rust, and wood to mould; which forces them, by continual pains of rubbing and scouring, to seek a prevention or cure: This makes the brightness and cleanness that seems affected in their houses, and is called natural to them, by people who think no further. So the deepness of their soil, and wetness of seasons, which would render it unpassable, forces them, not only to exactness of paving in their streets, but to the expence of so long causeways between many of their towns, and in their highways; as, indeed, most national customs are the effects of some unseen, or unobserved, natural causes or necessities.

The lowness and flatness of their land make it, in a great measure, the richness of their soil, that is easily overflowed every win-

ter, so as the whole country, at that season, seems to lie under water, which, in spring, is driven out again by mills.

#### SECT. VI.

#### *Of the People of Holland, their Manners, Humours, and Dispositions, &c.*

THE people of Holland may be divided into these several classes: The peasants or boors, who cultivate the land. The mariners, or skippers, who supply their ships. The merchants, or traders, who fill their towns. The renteneers, or men that live in all their chief cities upon the rents, or interests of estates formerly acquired in their families: and the gentlemen and officers of their armies.

The first we have already treated of in a section by themselves, in regard of the giving a more particular character of their manners and humours.

The second, the mariners, are a plain people, but of a very rough hue; whether from the element they live in, or from their food, which is generally fish and corn, and heartier than that of the boors: They are surly and ill-mannered, which is mistaken for pride; but, I believe, is learnt, as all manners are, by the conversation we use. Now, theirs lying only among one another, or with winds and waves, which are not moved nor wrought upon by any language, or observance, or to be dealt with but by pains, and by patience, these are all the qualities their mariners have learnt; their language is little more than what is of necessary use to their business; their valour is of a size extraordinary, even beyond comparison, except with that of the English tarpaulin.

The merchants and tradesmen, both the greater and mechanick, living in towns that are of great resort, both by strangers and passengers of their own, are more mercurial, wit being sharpened by commerce and conversation of cities, though they are not very inventive, which is the gift of warmer heads; yet are they great in imitation, and so far, many times, as goes beyond the originals: Of mighty industry, and constant application to the ends they propose and pursue. They make use of their skill, and their wit, to take advantage of other men's ignorance and folly they deal with: Are great exactors, where the law is in their own hands. In other points, where they deal with men that understand like themselves, and are under the reach of justice and laws, they are the plainest and best dealers in the world; which seems not to grow so much from a principle of conscience, or morality, as from a custom or habit introduced by the necessity of trade among them, which depends as much upon common honesty, as war does upon discipline; and without which all would break; merchants would turn pedlars, and soldiers thieves.

Those families, which live upon their patrimonial estates in all the great cities, are a people differently bred and mannered from the traders, though like them in the modesty of garb and habit, and the

parsimony of living. Their youth are generally bred up at schools, and at the universities of Leyden or Utrecht, in the common studies of human learning, but chiefly of the civil law, which is that of their country.

Where these families are rich, their youths, after a course of their studies at home, travel for some years as the sons of our gentry use to do; but their journies are chiefly into England and France, not much into Italy, seldomer into Spain, nor often into the more northern countries, unless in company or train of their publick ministers. The chief end of their breeding, is, to make them fit for the service of their country in the magistracy of their towns, their provinces, and their state. And of these kind of men are the civil officers of this government generally composed, being descended of families, who have many times been constantly in the magistracy of their native towns for many years, and some for several ages, and not men of mean or mechanick trades, as it is commonly received among foreigners, and makes the subject of comical jests upon their government. This does not exclude many merchants or traders in gross from being seen in the offices of their cities, and sometimes deputed to their estates; nor several of their states from the turning their stocks in the management of some very beneficial trade by servants, and houses maintained to that purpose.

The next rank among them, is that of their gentlemen or nobles, who, in this province of Holland, are very few, most of the families having been extinguished in the long wars with Spain. But those that remain are in a manner all employed in the military or civil charges or province or state. These are, in their customs and manners, much different from the rest of the people; and, having been bred much abroad, rather affect the garb of their neighbour courts, than the popular air of their own country. They strive to imitate the French in their mien, their cloaths, their way of talk, of eating, of gallantry, or debauchery. They are otherwise an honest, well-natured, friendly, and gentlemanly sort of men, and acquit themselves generally with honour and merit, where their country employs them.

The officers of their armies live after the customs and fashions of the gentlemen.

There are some customs, or dispositions, that seem to run generally through all degrees of men among them; as, great frugality, and order, in their expences. Their common riches lie in every man's spending less than he has coming in; be that what it will: Nor does it enter into men's heads among them, that the common part or course of expence should equal the revenue; and, when this happens, they think they have lived that year to no purpose; and the train of it discredits a man among them, as much as any vicious or prodigal extravagance does in other countries. This enables every man to bear their extreme taxes, and makes them less sensible than they would be in other places, especially in England: For he that lives upon two parts in five of what he has coming in, if he pays two more to the state, he does but part with what he should have laid up, and had no

present use for; whereas he that spends yearly what he receives, if he pays but the fiftieth part to the publick, it goes from him like that which was necessary to buy bread, or clothes, for himself, or his family.

This makes the beauty and strength of their towns, the commodiousness of travelling in their country by their canals, bridges, and causways, the pleasantness of their walks, and their grafts in and near all their cities; and, in short, the beauty, convenience, and sometimes magnificence of their publick works, to which every man pays as willingly, and takes as much pleasure and vanity in them, as those of other countries do in the same circumstances among the possessions of their families, or private inheritance.

To conclude this section, Holland is a country, where the earth is better than the air, and profit more in request than honour; where there is more sense than wit; more good nature than good humour; and more wealth than pleasure; and where a man would chuse rather to travel, than to live; shall find more things to observe than desire; and more persons to esteem than to love. But the same qualities and dispositions do not value a private man and a state, nor make a conversation agreeable, and a government great: Nor is it unlikely, that some very great king might make but a very ordinary private gentleman; and some very extraordinary gentleman might be capable of making but a very mean prince.

#### SECT. VII.

*Of their Religion, the number of Sects among the People, particularly in Amsterdam.*

THE great care of this state has ever been to favour no particular or curious inquisition into the faith or religious principles of any peaceable man, who came to live under the protection of their laws, and to suffer no violence or oppression upon any man's conscience, whose opinions broke not out into expressions, or actions, of ill consequence to the state. A free form of government either making way for more freedom in religion; or else, having contended so far themselves for liberty in this point, they thought it the more unreasonable for them to oppress others.

The Roman Catholick religion was alone excepted from the common protection of their laws, making men (as the law-makers believed) worse subjects than the rest, by the acknowledgment of a foreign and superior jurisdiction: Yet such has been the care of this state, to give all men ease in this point, who ask no more than to serve God, and save their own souls, in their own way and forms; that what was not provided for, by the constitutions of their government, was so, in a very great degree, by the connivance of their officers, who, upon certain constant payments from every family, suffer the exercise of the Roman Catholick religion in their several jurisdictions, as free and easy, tho' not so cheap, and so avowed, as the rest. This, I suppose, has been the reason, that though those of this profession are very numerous in the country among the peasants, and considerable in the

cities; and not admitted to any publick charges; yet they seem to be a sound piece of the state, and fast jointed in with the rest, and have neither given any disturbance to the government, nor expressed any inclinations to a change, or to any foreign power.

Of all other religions, every man enjoys the free exercise in his own chamber, or his own house, unquestioned, and unspied. And if the followers of any sect grow so numerous in any place, that they affect a publick congregation, and are content to purchase a place of assembly, to bear the charge of a pastor, or teacher, and to pay for this liberty to the publick; they go and propose their desire to the magistrate of the place where they reside, who inform themselves of their opinions, and manners of worship; and, if they find nothing in either, destructive to civil society, or prejudicial to the constitutions of their state, and content themselves with the price that is offered for the purchase of this liberty, they easily allow it; but with the condition, that one or more commissioners shall be appointed, who shall have free admission at all their meetings, shall be both the observers, and witnesses of all that is acted or preached among them, and whose testimony shall be received concerning any thing that passes there, to the prejudice of the state; in which case, the laws and executions are as severe, as against any civil crimes.

Thus the Jews have their allowed synagogues in Amsterdam and Rotterdam; and, in the first, I think, all sects, that are known among Christians, have their publick meeting-places; and some, whose names are almost worn out in other parts, as the Brownists, Familists, and others. The Arminians, though they make a great name among them, by being rather the distinction of a party in the state, than a sect in the church; yet are, in comparison of others, but few in number, though considerable by the persons, who are of the better quality, the more learned and intelligent men; and many of them in the government. The Anabaptists are just the contrary, very numerous, but in the lower ranks of people, mechanicks and seamen, and abound chiefly in North Holland.

The Calvinists make the body of the people, and are possessed of all the publick churches in the dominions of the state, as well as of the only ministers or pastors, who are maintained by the publick.

It is hardly to be imagined, how all the violence and sharpness, which accompanies the differences of religion in other countries, seems to be appeased or softened here, by the general freedom, which all men enjoy, either by allowance or connivance. I believe the force of commerce, alliances, and acquaintance, spreading so far as they do in small circuits, such as the province of Holland, may contribute much to make conversation, and all the offices of common life, so easy, among so different opinions, of which so many several persons are often in every man's eye; and no man checks or takes offence at faces, or customs, or ceremonies, he sees every day, as at those he hears of in places far distant, and perhaps by partial relations, and comes to see late in his life; and after he has long been possessed by passion or prejudice against them. However it is, religion may possibly do more good in other places, but it does less hurt here; and

wherever the invisible effects of it are greatest and most advantageous, I am sure, the visible are so in this country, by the continual and undisturbed civil peace of their government, for so long a course of years, and by so mighty an increase of their people, wherein will appear to consist chiefly the vast growth of their trade and riches, and consequently the strength and greatness of their state.

#### SECT. VIII.

##### *Of their Way of Trade, and Manner of Increase in Wealth.*

It is evident to those, who have read the most, and travelled farthest, that no country can be found either in this present age, or upon record of any story, where so vast a trade has been managed, as in the narrow compass of the four maritime provinces of this commonwealth: Nay, it is generally esteemed, that they have more shipping belongs to them, than there does to the far greater part of Europe besides. Yet they have no native commodities towards the building, or rigging of the smallest vessel; their flax, hemp, pitch, wood, and iron, coming all from abroad, as wool does for cloathing their men, and corn for feeding them. Nor do I know any thing properly of their own growth, that is considerable, either for their own necessary use, or for traffick with their neighbours, besides butter, cheese, and earthen wares. For havens, they have not any good upon their whole coast: The best are Helvoetsluys, which has no trade at all; and Flushingue, which has little, in comparison of other towns in Holland: But Amsterdam, that triumphs in the spoils of Lisbon and Antwerp (which before engrossed the greatest trade of Europe and the Indies) seems to be the most incommodious haven they have, being seated upon so shallow waters, that ordinary ships cannot come up to it, without the advantage of tides; nor great ones, without unlading. The entrance of the Tessel, and passages over the Zudder Sea, is now more dangerous, than a voyage from thence to Spain, lying all in blind and narrow channels; so that it easily appears, that it is not a haven that draws trade, but trade that fills an haven, and brings it in vogue. Nor has Holland grown rich by any native commodities, but by force of industry; by improvement and manufacture of all foreign growths; by being the general magazine of Europe, and furnishing all parts with whatever the market wants or invites; and by their seamen, being, as they have properly been called, the common carriers of the world.

It appears to every man's eye, who hath travelled Holland, and observed the number and vicinity of their great and populous towns and villages, with the prodigious improvement of almost every spot of ground in the country, and the great multitudes constantly employed in their shipping abroad, and their boats at home, that no other known country in the world, of the same extent, holds any proportion with this in the numbers of people; and, if that be the great foundation of trade, the best account, that can be given of theirs, will be, by considering the causes and accidents that have served to force and invite so vast a confluence of people into their country; the civil wars, calami-

ties, persecutions, oppressions, or discontents, that have been fatal to most of their neighbours for some time before, as well as since their state began.

SECT. IX.

*Of their Military Forces by Sea and Land, with their State Revenues.*

THE force of these provinces is to be measured, not by the number or dispositions of their subjects, but by the strength of their shipping, and standing troops, which they constantly maintain, even in time of peace; and by the numbers of both, which they have been able to draw into the field, and to sea, for support of a war: by their constant revenue to maintain the first; and by the temporary charge, they have been able to furnish for supply of the other.

The ordinary revenue of this state consists, either in what is levied in the conquered towns, and country of Brabant, Flanders, or the Rhine; which is wholly administered by the council of state: or else the ordinary funds, which the Seven Provinces provide every year, according to their several proportions, upon the petition of the council of State, and the computation of the charge of the ensuing year, given in by them to the States-General. And this revenue in times of peace, commonly amounts to about one and twenty millions of guilders a year.

Their standing land forces, in time of peace, consist of thirty-thousand horse and foot.

Their admiralities, in time of peace, maintain between thirty and forty men of war, employed in the several convoys of their merchants fleets, in a squadron of eight or ten ships, to attend the Algerines, and other Corsairs in the Mediterranean; and some always lying ready in their havens for any sudden accidents or occasions of the state.

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THE

PARABLE OF THE BEAR-BAITING.

London, printed for J. Johnson, 1691. Quarto, containing eight pages.

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THE proceedings by, and against some body of late, are not altogether unlike a certain parable; which, though I cannot, at present, call to mind where I read it, yet, I remember very well, the substance of it was this: viz.

Once upon a time, there was a bear-baiting appointed; a great over-grown French bear, the greatest in the world, to be baited by English and Dutch mastiffs, the best mastiffs in the universe. The



match was made between the most christian lion of England and Holland, on one hand, and the most antichristian bear-ward of France, on the other hand; and the wager was no less, than the whole interest of the French crown, on one side, and the whole remaining interest of Europe, and the liberty of all Christendom, on the other, in case of a total destruction, either of the bear, or of the mastiffs.

Whereupon, the great French bear-ward, that apocalyptick beast, Ludovicus, whose name is the number of the beast in the Revelations, for the numerical letters of his name are six-hundred three-score and six: I say, this notorious beast of a man, this cruel tyrant, who retains nothing in him of a king, but the purple; this bear-ward *le grand* spared no costs, nor pains, to hearten, cherish, and strengthen his bear, against the time of baiting; nay, he sent as far as the Levant for strengthening cordials, and restoratives for his bear.

Hereupon, the wary lion (who is, in his own nature, as wise as a serpent, and yet as innocent as a dove) sent out force enough, to intercept all those restoratives at the Straights mouth.

But you must know, the lion having more than a good many jackcalls about him, as all our lions ever had, they over-persuaded him to make a jack-an-apes commander of that force; who, when the bear's cordials and restoratives came in sight, sat still upon his butt-end all the while, cracking of nuts, and making of monkey's faces, and so let the strengthening cordials pass by safe, just under his nose, without doing any thing, besides gazing and smelling at them.

After this, you must further know, these foolish head-strong jackcalls (being all great favourites forsooth, and pretending to ten times more knowledge and discretion, than ever they were, or ever will be masters of) prevailed likewise with the lion, to make an old grisled spaniel commander in chief over all his mastiffs, both English and Dutch.

Wherefore, the lion, at the earnest request and recommendation of the jackcalls, called out old Grisle (a plaguy dog at a bitch; and therefore, in all probability, well acquainted with the best kennels) and spitted in his mouth, and clapped him on the back, and gave him all the encouragement a dog could have, and then bid him go, range about, seek out, and bring home, sixteen or eighteen couple of stout, well-bred true English beagles with him, to hunt out the bear, and conduct the mastiffs to their sport.

But old Grisle, not observing his master's instructions, instead of procuring strong-built, hearty, experienced beagles, brought back a damned raw pack of mere whelps and lap-dogs; and, by his and their fawning, crouching, cringing, and wheedling, as spaniels, whelps, and lap-dogs use to do, and by the intercession of the jackcalls, who will recommend the devil for a good artist, if he has but the art of feeding them secretly with forbidden prey, they prevailed with the lion to be commissioned under old Grisle, in order to lead and guide the mastiffs; which made the mastiffs growl most confoundedly, through mere indignation.

However, out they went, under this wise conduct; but, before they went out, old Grisle, his whelps, and his lap-dogs (for I call them his, because, as I told you but now, they were most of his own getting) thought it convenient, for their better security, to muzzle all the mastiffs, and tie them fast in a strong line of passive obedience and non-resistance; and, as soon as that was effectually done, then out they went all together.

And, all the way they went, old Grisle, his whelps, and his lap-dogs, did frisk, and skip, and leap, and bounce, and yelp, being all over-joyed, that they should see some sport anon (for most of them had never seen a bear before in their lives) and oh! how they whipped the bear about, and swunged him off, all the way, in their own fancies!

Says old, proud, impotent, self-conceited, empty Grisle: ‘Gentle-men whelps, and gentlemen lap-dogs, courage! here is confusion to the bear. Huzza! shew yourselves to be but what you are, viz. true whelps, and right lap-dogs, and I desire no more: for, by your assistance, I have power enough to beat all the bears in France. I have been a whelp and a lap-dog myself in my time, as well as the best of you all: And, to my certain knowledge, an English whelp, or lap-dog, is able to grapple with a French bear at any time; wherefore, we need no scouts to go before, to bring us notice of the bear’s approach; for, as soon as he comes within hearing of your terrible yelping, he will be glad to retire fast enough of his own accord, I warrant you: Therefore, courage my beloved whelps and lap-dogs! here’s confusion once more to the bear!—huzza! yelp! yelp! yelp!’

But old Grisle had scarce ended these words, nor was the yelping quite ceased, when lo! all on a sudden, the unexpected roaring of the bear quite surprised, dashed, astonished, and stunned the whole pack of mongrels; which made old Grisle shrink in his tail between his legs, and hang down his head (and if it had been hung up, not a half-penny damage) and made all the whelps and lap-dogs begin to whine and whimper about him, and fawn upon him, with wagging tails, clapped in behind, lank ears before, couchant heads, and tears in their eyes. But, on the other side, it made the brave mastiffs prick up their ears, and drew rage and foam from their mouths, and fire from their very eyes, to be at the bear. Bless me! what a difference there is, between right true-bred mastiffs, and whiffling curs!

(For you must know, the great bear was, by an unexpected hurricane, driven to a bay, fresh-water bay, or else he had seized, and hugged old Grisle, and all his whelps and lap-dogs, just as the devil hugs a witch, before they had been aware of it, and was there confined in Lob’s pound, and tied as fast, as a bear to a stake; which made him suck his paws, and fret in his grease, and roar after that hideous manner.)

However, old Grisle was forced, by the rage and importunity of the mastiffs, to go and shew them the bear: And, to give the devil his due, he did shew them the bear, and that was all: For, when he plainly perceived, that the French were really there with their bears,

he immediately took all possible care, to stand at a distance enough, out of harm's way ; and out of the way of doing harm to any, but the forward mastiffs.

But had the first, second, and third-rate mastiffs been then let loose, when they were fresh and untired ; and when they had a strong direct gale to carry them, to the bear's very nose ; they would certainly have torn him to pieces in a trice. For he was so hemmed in, on every side, that he could not stir one way or other ; neither could any of the mastiffs have been there lost or sunk, they being then, at the mouth of the best kennel, or port, in Europe : When, at the same time, the bear was above a hundred leagues from his den. And besides, there was another strong party, or two, of stout third, fourth, and fifth-rate mastiffs, out at the same time, to have intercepted the bear in his way, if, after the first mastiffs tearing him, he should have endeavoured to make his escape home. Here were all the advantages, that heaven and earth could grant, at once ; and all the favourable opportunities, that man could ask, or that God need grant : and nothing wanting but courage, conduct, skill, and honesty, to accomplish the utter destruction of the bear for evermore. Never had spaniel such an opportunity of losing his own name, and gaining the reputation of a mastiff ; and never had whelps and lap-dogs such an opportunity, to ingratiate themselves with, and gain the applause and esteem of all mankind, as well as of womankind and children. But I find the poet is in the right on it, who says :

*Naturam expellas furcâ licet, usque recurret.*

Nature recoils, and, though you hang the dog,  
Yet he will die, just as he liv'd, a rogue.

For, as soon as old Grisle, his whelps, and his lap-dogs, espied the vast bulk of the bear's body, the wideness of his jaws, the largeness of his paws, and the length of his claws, as if they had seen raw-head and bloody-bones, they turned all as white presently, as my lady's night-trail.

But by the thundering noise of the mastiffs, and by the powerful help of brandy, being somewhat roused out of their fainting fit, they began at last, though it was long first, to recover a little out of their clammy sweat : and then they called a council, as they called it. And there, you might have seen all the whelps and lap-dogs lying panting round old Grisle, and looking up to him, in this time of need, and he looking down upon them again, with most pitiful countenances, on both sides ; and, all the while, making a most intolerable stink, for fear of the bear : Nay, such a strange stink, that I am forced to hold my nose, even now, whilst I am speaking of it ; and to cry, ' Out, ye stinking curs ! Faw ! out, and be hanged ! Faw ! out, for shame, and make room for the mastiffs ! '

However, at long-run, old Grisle made a shift to open his jaws, and held them open, a long while, without speaking ever a word, for he well knew, they understood his meaning by his gaping : Yet, at last, with much ado, and with as much hesitation, trembling, and shaking, as if he had been in the house of commons, he broke silence,

and snarled out these following sentences, to the great joy of the whelps and lap-dogs; but to the deep grief and regret of the mastiffs, and to the everlasting stain, and eternal reproach of the English nation, *viz.*

‘Gentlemen whelps, and gentlemen lap-dogs, I lately saw, when I was so often and so long on shore in London, and at Portsmouth (that the very watermen called me Lord Tarry-at-home, and Lord Tarry-in-town) then I say, I saw a very good book, nay, which is more, a convocation book, in Mall Hinton’s closet (or rather, kennel) for, I must tell you, she is a very devout creature, a mighty lover of convocations, and no good thing can come out, but she, good girl, will presently take it in. And there in that book I remember it is laid down, by the venerable authority of a certain kind of a certain sort of a convocation, as an undoubted principle of our church (for I was never of any church, that was for true fighting, no more than you) *viz.* That, whatever powers here below are settled and fixed, we ought to pay ample allegiance, non-resistance, and passive-obedience to them. And you know well enough, that our master, the lion, is not so very well settled and fixed at this time; for he is not yet passed the Boyne, and there is a deep water for him to wade through up to the chin, and several French bears in his way, before he can reach Dublin. But on the other side you plainly see, That the great French bear, here, is settled and fixed before your eyes: And, for my part, I have often found great civilities from French bears; and so, I hope, I may again. Wherefore, gentlemen whelps, and gentlemen lap-dogs, though you are young, yet I am old; and it is high time for me to follow the virtuous example of Mall Hinton, and to walk by convocation rules: And, therefore, I am clearly of the same opinion with the venerable convocation, *viz.* That we ought, in the first place, to keep our distance, to consider where we are, and in whose presence we be, and to see who and who stand together; and also, to keep to the saving doctrine of non-assistance, till we hear a little better which way things go, and till we are fully satisfied what is become of the Irish affairs: And yet, notwithstanding, in the mean time, to pay all dutiful respects to the settled power of the bear (who was driven into the bay by a hurricane, and so has plainly God’s authority) and especially, to keep close to our beloved-church-rules, and my old, natural, spaniel-rules, of non-resistance, and passive-obedience, during our whole retreat.’ At which periodical snarl, all the whelps and lap-dogs heaved up their drooping heads, and cried yelp, yelp, yelp; but the enraged mastiffs swore, bow—wow—wow.

This was the warlike resolution, the admirable, or admiral-like determination, and positive injunction of old Grisle; whereunto all the whelps and lap-dogs unanimously agreed, and punctually observed it, like so many dogs in a string; and hung down their heads all the way, like so many sheep-biters; finding now, by sad experience, the great difference between bear-baiting, and sheep-biting.

But, however, the mastiffs, both English and Dutch, could not endure to be held so long, six or seven days together, by a pack of sha-

green curs, in such an unreasonable line, a line of five or six leagues distance, at least, from the bear, the grand enemy of mankind, and from their duty of attacking him.

Therefore, to be thus unjustly restrained in spite of their courage, nay, in spite of their teeth, by a company of whiffers, made the mastiffs rave, and grow almost stark-staring mad, for want of sleep and rest; but especially for want of fighting; for fighting is their meat and drink. A true tarpaulin fights only to eat, and eats only to fight again. And there were enough with them to eat up the bear; and sharpeners enough in every thing else, but fighting; and more by a great many (though not by a good many) than those that devoured the great Spanish bear in 1588.

Whereupon the lioness, hearing the loud-mouthed voice of her mastiffs, both English and Dutch, speaking the same thing, and, which is strange, the same language, and both countries agreeing in the same verdict, *viz.* That the mastiffs were abused, curbed, and muzzled by a parcel of mongrels; therefore she roused up her royal wrath, and sent positive orders to the curs, either to permit the mastiffs to fight, or else to come presently themselves to her den in the Tower.

This royal echo startled the spaniel, the whelps, and the lap-dogs worse, if possible, than the roaring of the bear had done before: For now, being almost nine days old in their iniquity, the whelps began to see, that there was another settled power, besides the bears.

Thus old Grisle, his whelps, and his lap-dogs, being reduced to a great strait, for fear of the lioness on one side, and of the bear on the other; and, yet, being willing to curry favour with both sides, and to keep to the convocation-rules of non-resistance of the settled power of the lioness, and of passive-obedience to the fixed power of the bear: Therefore, they craftily and cunningly resolved (as if they had been so many schoolmen, or doctors of metaphysical notions and distinctions) that they would sacredly, or, rather curiously, observe a strict neutrality on both sides.

In pursuance whereof, old Grisle, in the first place, making his honours, his bows, and his profound congees to the bear; and, then, making his obeisance to the lioness, and, withal, making a shew of praying, but not fighting, for King William and Queen Mary: he hung out the bloody flag, as they use to do at the bear-garden, and proclaimed free liberty for all to fight, that had a mind to it. Fight dog, fight bear, for him, and his.

Whereupon the brave Tyrrell, the undaunted Dorrell, and several other English, and above twenty Dutch mastiffs, all as good as ever run at a bear (and, oh! that the courageous and victorious Shovel had been amongst them!) though they were before almost quite throttled, spent, and strangled by being held back so long from their sport, in such an unreasonable line, yet now took fresh courage, and broke the line, and left the mongrels behind to their due, the line; and ran full speed forwards, and made directly at the bear with open mouths; and stared fire, and gaped smoke, and spoke thunder, and darted thunderbolts, and hurled whirlwinds at the bear; and so

scorched, blighted, blasted, and twisted him ; and gave him such rents, such gashes, such breaches, and such shocks, that they made him groan, and reel backwards at their very first onset : And, had they been seconded, as they ought, we should never have been troubled hereafter with any more French-dancing bears again.

And though I will hold ten English crowns to one French crown at any time, upon any of these mastiffs heads, both Dutch and English, against any French cub whatsoever of equal size : and though I have great reason always to lament my own insolvency, in that I am not able ever to pay sufficient expressions of gratitude and thankfulness to every one of these glorious assailants ; and particularly to the Dutch, because I find, they had not so many whelps and lap-dogs amongst them, as we had ; no, nor so many jackcalls neither.

Yet, after all, I beseech you, gentlemen, bear with my weakness, and pardon the infirmity of my judgment, if it be so, and give me leave to say, That my main bet is more especially reserved for, and fixed upon, the brave Tyrrell : A hundred to one on his head at any time ? His name is Wonder, a right English mastiff, and a true-bred tarpaulin ; who never gave an affront, and never brooked one ; who is of such strange humility, goodness, and modesty ; and yet, at the same time, of such unparalleled courage, knowledge, and bravery, that, I protest, I have often gazed at the man in raptures of admiration ; and always thought him a great blessing to this nation, if we understood him ; that is to say, at which I know all the jackcalls will grin, if we understood how to employ true virtue, true honesty, true valour, true skill, true conduct, and true merit to the best advantage ; and if we understood how to pitch upon a man, that can, by his own private interest and repute amongst all true tarpaulins, man out a whole fleet at any time without a press.

But these, indeed, would be too many blessings wrapped up in one ; and the powerful spirit of the ever-blessed Bishop Usher, still surviving in his grandson, would make too good an admiral for so bad an age, as this is.

Neither would I have old envious Grisle, nor any of his malicious whelps, or lap-dogs, think, that Captain Tyrrell is any ways privy to this commendation : No, good man, he would have been the only obstacle against it, if he had known it ; for he is neither for praising himself, nor dispraising others.

But yet, I hope, my Lord Grisle, master whelps, and master lap-dogs, you will give me leave to speak the truth concerning your worships ; who was a spectator and stander-by all the while, as well as you ; especially, since you have made me, and all my countrymen, pay so dear for our standing at your special bear-baiting ; nay, methinks, you might out of modesty, if you had any, give us leave to speak, who are such great losers by you : And more especially, since you have brought things to such a pass, that, if we do not speak now, we must for ever hereafter hold our peace ; for you have bid the last bans of matrimony between us and destruction.

Wherefore, since I neither do, nor can, speak evil of the rulers of the people, *viz.* King William and Queen Mary ; of whom, by whom ;

and in whom, I know nothing but good: And since our blessed Saviour called those men dogs, that eat up the children's bread: And since you, gentlemen whelps, and gentlemen lap-dogs, have given a pretty good stroke already to our daily bread; and are preparing, not only to devour the remainder, but also to rob us of the bread of life; and to bring in the abomination of desolation upon us, even that abomination, which maketh desolate now at this very day in Flanders, Savoy, and all the frontiers of the Empire, &c. and would willingly do the like here amongst us, with all his heart; and so, I perceive, with all yours too: And since you have only the name, the salary, the sash, the cravat-string, the feather, the red, and the blue of commanders; without the true heart, the spirit, the experience, the honesty, and the bravery of true English tarpaulins; And since you have acquitted old Grisle for his ill service, and have snarled and snapped at my dearly beloved Wonder, and his wonderfully courageous brethren's heels, for their good service: Therefore I will take upon me the boldness, whether you give me leave or no, to tell you, in plain English, without any mixture of French in it, That you are a pack of curs and mongrels; and ought to be turned off, and cashiered, every one of you; for there is none amongst you all, though you very well deserve it, that is worth hanging.

## A

## DESCRIPTION

## OF THE

## MOST GLORIOUS AND MOST MAGNIFICENT ARCHES

## ERECTED AT THE HAGUE,

## FOR THE RECEPTION OF

## WILLIAM THE THIRD, KING OF GREAT BRITAIN,

*With all the Motto's and Latin Inscriptions that were written upon every one of the said Arches.*

TRANSLATED INTO ENGLISH FROM THE DUTCH.

London: printed for F. S. and are to be sold by Richard Baldwin, at the Oxford-Arms in Warwick-Lane, 1691. Folio, containing 8 pages.

**H**IS Majesty William the Third of Great Britain, having made his voyage into Holland, and being arrived at the Hague, the most noble and most high the Estates of Holland and West Friesland, as well as the honourable magistrates of the Hague, gave orders to prepare for a reception correspondent to the majesty of so glorious and so excellent a monarch. To which purpose their high and mighty lordships, among other things, have erected one triumphal arch, and

the magistrates two more, to be set, one in the Piazza, called Buyton-Hoff, the other in the public Piazza, and the third in the market-place of the Hague; the figure and structure of which, together with the Latin inscriptions which adorn them, are as follow.

That which was set up at the Buyton-Hoff was a triumphal arch, of a most curious Italian architecture, the order compounded doric, having three open gates, that of the middle being the highest of all, supported backwards and forwards upon eight pillars, underneath upon large basements, separated from the body of the work.

Upon every one of those basements, stand two of the said pillars, with a cupolo of eight faces upon the said overture: In the middle of which cupolo appears a pedestal, upon which is represented his majesty on horseback, both figures costly gilded. To the horses, on each side are tied two slaves, or statues, of a brass colour, prostrate and groveling, and the whole work is coloured, as if it were of free-stone; between the pillars, and upon each side, inward and outward, the spaces are filled with pictures, comprehending some historical representation, and hieroglyphical figure, relating to the life and glorious actions of his majesty. At the frontispiece of that stately arch, and upon the fore-mentioned pillars, as well backwards as forwards, and at each side are placed, in the same order, eight statues of both sexes together, to the height and bigness of the life. In that part of the arch, which faceth the end of the town, upon a very high pedestal, set above all, on both sides of the round pieces that cover the work, is erected a Neptune, lying down with his trident in his hand, with this motto underneath:

*Triumphet in Undis.* Let him triumph upon the seas.

At the other side of the arch that looks towards the street, commonly called Cingel, upon a like pedestal, a ploughman with a spade in his hand, with this motto underneath,

*Attingat solium Jovis.* Let him reach to Jupiter's throne.

Round about the cupolo is written the following inscription:

‘ Pio, felici, inclyto, Gulielmo Tertio, triumphanti patriæ patri, Gubernatori, P. C. I. P. restauratori Belgii fœderati, liberatori Angliæ, servatori Scotiæ, pacificatori Hiberniæ, reduci.

To the pious, happy, renowned William the Third, the triumphant father of his country, governor, stadtholder, and restorer of the United Netherlands, England's liberator, Scotland's preserver, Ireland's pacificator, now returned.

Upon the frontispiece, underneath the statues above-mentioned on the side of the Buyton-Hoff, are these following inscriptions:

In the first place,

‘ Post maximas res domi forisque gestas, arcuissimo cum principibus icto fœdere, suorum vindex, defensor oppressorum.’

After great things done at home and abroad, as having made a strict league with the princes, the revenger of his subjects wrongs, and defender of the oppressed.



Under that, and upon a large picture, there is a little table, upon which are represented several armed men, fighting a dragon, with this motto,

*Uniti fortius obstant.* Being united they make a stronger opposition.

In the second hollow seat this motto,

*‘ Mare transvectus liberat Britanniam, & latè dominantibus ornatus  
‘ sceptris, in patriam publica cum lætitia receptus est.*

Being passed beyond sea, he has rescued Great Britain, and being adorned with sceptres of a vast extended power, he has been received in his own country with all the demonstrations of publick joy.

In the table underneath is represented a balance with the two scales, in one of which are several crowns, and in the other a sword, the sword outweighing the crowns, with these words,

*Premia non æquant.* Rewards are not answerable to merit.

In the third hollow seat, this motto.

*‘ Lugente patria, mærente Europa, afflicta antiquissima Nassovi-  
‘ orum stirpe, heroum, imperatorum, principum fœcunda.*

Our country mourning and bewailing, Europe in tears, the most ancient family of Nassau, fertile and producing heroes, emperors, and princes afflicted.

In a table underneath is represented a phœnix burning, with this sentence :

*Præluet posthuma proles.* Born after his father's death, shines so much the more.

In the fourth hollow nich,

*‘ Gulielmum posthumum, Britannorum Arausionensiumque Ter-  
‘ tium, patriæ spem, reipublicæ palladium.*

William born after his father's death, the Third of Great Britain, and of Orange, the hope of his own country, and the support of the commonwealth.

In a table underneath is represented a sceptre and three crowns, with this motto,

*Tenues ornant diademata cunæ.* Tender age an ornament to diadems.

On the back-side of the said arch, towards the palace, are also four hollow niches in the frontispiece, with the following inscriptions:

In the first hollow nich,

*‘ Fatum, Europæ favens, dedit de cœlo, futuram portendens ma-  
‘ jestatem, admodum puerum exemplar constituit.*

Fate, favourable to Europe, has bestowed him from heaven, and portending his future majesty fixed him for an example, when he was but very young.

As, on the other side, above a large picture, there is a little table, upon which is represented a young eagle flying upwards against the rising of the sun, with this motto, *Tener adversis enititur alis.*

Young and tender as he is, he strives with all the force of his wings against the wind.

In the Second, 'Qui juventute strenuè transacta, funestis jactata bellis ac dissidiis in tanto rerum discrimine.' Who having spent his youth in many hardships, tossed with funest wars and seditions, in so much hazard, vanquished all before him.

In the table underneath is represented a castle upon a hill, at the foot of which is a javelin planted, from which spring up two branches of lawrel, with these words, *Contorta triumphos portendit*. Darted forth it presages triumphs.

In the third, 'Nutantis Belgii, qua mari, qua terra admotus, in pristinum decus gubernaculi, gloriam, aras & focos asseruit.' The Netherlands tottering, and he made chief commander by sea and land, has re-established the government in its first lustre, conserved our religion, and secured the people.

In the table underneath is a boat with some armed men in it, who row it forward, with this inscription, *Alter erit Tethys*. There will be another Tethys.

In the fourth hollow seat, 'Meritis famam superantibus trophæis, principiatavis regibus editæ, felicibus junctis hymenæis.' His merited triumphs surmounting fame itself, more glorious still by happy marriage with a princess, born of royal ancestors.

In the table underneath, are an unicorn and a lion, going side by side, the unicorn thrusting with his horn a heap of serpents and vipers, with these words, *Virusque fugant viresque repellunt*. They drive away the venom and repel the force of it.

On the one side of the pedestal, where is the king on horseback, are these words written, *Populi salus*. The people's welfare. *Procerum decus*. The glory of the states.

Within the arch's cieling are four different historical representations, in four tables separated one from another, and each of them has an inscription: That of the first table is, *Refert Saturnia regna*. He reviveth the golden age.

In the second table, *Novos orbes nova sceptrâ paramus*. We are preparing for new worlds and new scepters.

In the third, *Superare & parcere vestrum est*. Your part it is to overcome and to forgive.

In the fourth, *Cætera transibunt*. All other things are transitory.

The arch itself is adorned both before and behind, and at the top of the afore-mentioned overtures, you see the arms of England, and the supporters withal; and of the large overture, both behind and before, the arms of Holland, and two flying Fames at each side of them, blowing their trumpets.

#### *The Description of the Arch in the publick Piazza.*

This triumphal arch is, as the other, of a very fine and stately architecture, with pillars coloured like marble, red and white, and the rest of the body of the work of marble, black and white; the basis and the chapter gilded with four great pictures, two behind, and two

before, set between the fore-mentioned pillars, drawn in lively colours ; the two that are foremost, representing a battle of the Romans by sea and land ; and the two that are behind, one representing war, and the other peace : War, with a flaming world, near which, several persons represented, some dead, and some alive, make Justice lie down in distress. Peace, with a world, upon which Justice and Peace standing, embrace one another, and by them is the god Pan, and his companions, making themselves merry with some fruits of the earth. At the upper part of the arch in the middle, is a pedestal, upon which is the king on horseback, as big as the life, brass-like, with this motto,

*Regi triumphanti.*

To the triumphant king.

Above the king on horseback are erected two wreaths, crossing and covering his head, adorned with green, and above it a royal crown, with the scepters, and a cross underneath.

On each side of the arch are two squares, wherein are set, both behind and before, transparent pictures, wrought upon silk, which were lighted in the evening, and shewed on one side a cloud, and a pillar of fire on the other, the corners being adorned with green. At the gilded frize of the arch, are written these words :

*Soloque Suloque,*

By land and sea.

*In reprimenda tyrannide & restituenda sæculi felicitate ;*

In repressing tyranny, and restoring the felicity of the age.

And on each side of the aforesaid frize are these inscriptions :

On the right, *Heroibus priori.* To him that excels the heroes.

And on the left side, *Antiquis majori.* To him who is greater than any of the ancients.

On each side of the forementioned pedestal, upon which is the king on horseback, are two gilded armours, and two covered with silver, adorned with feathers, and some trophies besides ; England's coat of arms before, and the king's cypher behind.

The said arch has on every side two wings, in which are represented the histories of Hercules, Perseus, Phaeton, and Andromeda's deliverance, with four escutcheons of the four kingdoms, England, Scotland, France, and Ireland.

Underneath, round about the said arch, are these words : Before, *Scep̄tris exercitibus, classibus votis.* Behind, *Augusto, armato, parato, recepto.* Which must be read thus : *Augusto scept̄ris, armato exercitibus, parato classibus, recepto votis.*

Honoured with scepters, armed with armies, provided with fleets, and received with acclamations.

On each side of the arch are two pictures, one representing Europe distressed, and the other, Neptune ravishing, with this motto : *Eripe raptori miseram ;* snatch the wretched from the ravisher. The other, *Mea jura tuere.* Defend my right.

Above the door of the arch these words are written, *Haga posuit eoss. decreto*. The town of the Hague has erected this arch by the decree of the magistrates.

*The Description of the Stately Arch erected at the Great Market-place.*

This arch is the highest of all, without any pillars in relief. However, it is filled with very large pictures of a greyish colour, of which, two, that are upon the door, are drawn upon silk, to be transparent by torch-light in the Evening. Upon that arch is a rainbow, with three crowns, seeming to hang in the air. There is besides upon that arch a sphere, and upon it a flying fame with her trumpet, and the horse Pegasus running by her, and some trophies on every corner of each side. On the backside of the said arch is seen the imperial coat of arms of Nassau, that of the Emperor Adolphus of the family of Nassau, with the eight quarters on every side. Round about the fore-mentioned arch are these following inscriptions:

*Nobilium primo, ducum maximo, posthumo Gulielmo Tertio, cœlitus dato*. To the first of noble heroes, to the greatest of generals, William the Third, a posthumus, the gift of heaven. Above the pictures on the backside, *Victoriis, trophæis, fortissimo imperatori, oantissimo gubernatori, destinatis*. Erected to the victories and trophies designed for a most strenuous leader, and prudent commander.

Underneath, at the bottom of the arch upon one side, *Quatuor regnorum regi, fœderati Belgii gubernatori, Gulielmo Tertio, virtute et triumphis fulgenti*. For William the Third, king of four kingdoms, governor of the United Provinces, shining with virtues and triumphs.

On the other side, *Grati animi & letitiæ publicæ signum hoc erexit Huga Comitiss*. The Hague has erected this as a testimony of publick joy and gratitude.

On each side of the arch are two wings, composing together a half circle, and in each of those wings are seven pictures, representing the battles and victories of the precedent princes of Orange by sea and land, each picture having its motto: Upon the first of the right wing, *Patientia læsa furor fit*. Patience exasperated turns to fury.

Upon the second, *Res poscit opem & conspirat amicè*. The matter requires aid, and friendly confederacy.

Upon the third, *Per tela, per undas*. Through darts and waves.

Upon the fourth, *Audentes Deus ipse juvat*. God himself assists the courageous.

Upon the fifth, *Tantas dedit unio vires*. Such is the force of union.

Upon the sixth, *Aquilas & mœnia cepit*. Nor walls nor armies can resist him.

Upon the seventh, *Celsas superas virtute carinas*. Your valour masters the tallest navies.

Upon the first of the left wing, *Repetenda quiescunt arma virum*. Armies laid aside are again to be taken in hand.

Upon the second, *Non uno virtus contenta triumpho*. Valour not satisfied with a single triumph.

Upon the third, *Crescunt numero crescente trophæa*. Number increasing, the trophies increase.

Upon the fourth, *Casorum replebant funera campos*. The funerals of the dead filled up the fields.

Upon the fifth, *Ultra Garamantas & Indos*. Farther than the Garamantes and the Indies.

Upon the sixth, *Fortis promissa juvenus*. The promises of a courageous youth.

Upon the seventh, *Deos in prælia confert*. He consults the Gods before he goes to battle.

In the middle of every one of those wings are two pyramids, one at each side upon their pedestals, which support a picture with this inscription: Upon that of the right hand, *Hanc accipe magne coronam*. Great hero, accept this crown. Upon that of the left hand, *Thure tuo redolent aræ*. Your incense perfumes the altar.

The same pyramids have each in the front three transparent pictures, comprehending either a hieroglyphical figure, or some trophy or cypher, being adorned on the sides with green, upon one of those pyramids. The king and the queen upon the other are set to the bigness of the life.

Upon that of the king is this inscription, *Quis gratior appulit oris?* Whoe'er arrived more welcome to our shore?

Upon that of the queen, *Reprimit & refigit*. She represses and re-establishes.

Upon the border of the wings are, in their order, the first four princes of Orange, between two trophies.

Under the effigies of William the First, *Patriæ Liberatori*. To his country's liberator.

Under that of Prince Maurice, *Gloriæ vindicti*. To glory's vindicator.

Under that of Prince Frederick Henry, *Libertatis assertori*. To our liberty's defender.

Under that of Prince William the Second, *Publicæ felicitatis statutori*. To the conservator of our public felicity.

Above the opening of the arch before is the escutcheon of the Hague, with these words underneath, *Hic incunabula divum*. Behold the cradles of the gods.

Before the town house of the Hague are seven pictures transparent for a light. In the highest range are placed in the middle the representations of the king and queen; and on each side two hieroglyphical figures, one representing a lion with this motto, *Placidum venerantur, & horrent infestum*. They venerate the moderate, and abhor the tyrant.

On the other an unicorn thrusting with his horn some serpents, with this inscription, *Nil passa veneni*. Enduring nothing venomous.

At the order underneath it contains three symbols more: The first representing a crane sitting upon her nest, and clapping her wings at the rising sun with these words, *Recreatur ab ortu*. Revived by the rising sun.

The second represents Atlas upholding the world upon his shoulders, and stooping under the weight, and resting upon a mountain, with this inscription, *In te domus inclinata recumbit*. Upon thee the falling mansion leans.

The third represents a crane resting in her nest, and clapping her wings at the rising sun, with this motto, *Vidit & exultavit*. She saw and rejoiced.

By the town-house in the publick place of execution, is a tree like a maypole, surrounded with arms in four rows one above another for torch-light.

The arch of the bridge, commonly called the Loosduyn, has been coloured with a representation of a man and a woman at an altar, upon which is the king's effigies with a staff in his hand, upon which staff his majesty's name is written, with a crown, and these words underneath, *Io triumphator*. All hail triumpher.

Upon the two pillars of the said arch of the bridge, are these following inscriptions, *Ob cives servatos, et hostes fugatos*. For citizens preserved, and enemies put to flight.

The other side of the arch, *Ob liberata regna, et restitutas provincias*. For the kingdoms rescued, and provinces restored.

Behind are two ovals besides, in one of which is represented a awrel, and underneath the word *Victoriæ*, To victory.

On the other an orange-tree with the word *Clementiæ*, To clemency.

I add here for the conclusion, that in the middle of the pond of the palace was erected a great scaffold, upon which was set down the cypher of his majesty's name, with a royal crown above, which was shewn by torch-light, without mentioning many other curious and artful lights, in several other places; besides the firing of thirty great guns that were planted by the said pond, and frequently discharged as occasion and the design required.



AN

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